

PLANNING COMMISSION

MEETING OF

DECEMBER 20, 2001

City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

5:15 PM

COMMISSIONERS BRIEFING:

PRESENT:

Craig Galati - Chairman
Richard Truesdell - Vice Chairman
Michael Buckley
Steven Evans
Byron Goynes
Laura McSwain

EXCUSED:

Stephen Quinn

STAFF PRESENT:

Chris Knight - Planning & Development Dept.
John Koswan - Planning & Development Dept.
Chris Glore - Planning & Development Dept.
Margo Wheeler - Planning & Development Dept.
Joel McCulloch – Planning & Development Dept.
Scott Albright - Planning & Development Dept.
Laura Martin - Planning & Development Dept.
Cheri Edelman - Planning & Development Dept.
Daphnee Legarza - Public Works
Rick Schroder - Public Works
Bryan Scott - City Attorney's Office
Deeny Araujo – City Clerk's Office
Linda Owens - City Clerk's Office

Joel McCulloch, Planning and Development Department, called the Briefing to order at 5:31 P.M.

Item No. A-1, TM-0044-01:

Mr. McCulloch said that on December 17, 2001 the applicant requested this item be held in abeyance to the January 10, 2002 meeting in order to determine the need for it. Staff would prefer the item be held until the January 24, 2002 meeting. There is a situation with the horse trail.

Item No. A-4, TM-0049-01:

Chairman Galati wanted this item pulled off the Consent portion of the agenda. Those signs could be eliminated in the future, so he thought the applicant should be aware of that situation.

Item No. A-5, TM-0052-01:

Mr. McCulloch said the applicant would like to have this item pulled off the Consent portion of the agenda.

Item No. A-6, TM-0053-01:

Daphnee Legarza, Public Works, said this map requires additional dedication for a bus turnout.

Item No. A-10, TM-0057-01:

Daphnee Legarza, Public Works, requested this item be pulled off the Consent portion of the agenda so an additional condition could be recommended.

Item No. B-1, DA-0002-01:

Chris Glore said this development agreement is at a point where any additional work may not be productive. Chris Knight added that this development agreement has been worked on since May, 2001. About 90% of the agreement has been agreed upon. There are still issues with the amount of floor area, site plan, etc., and it has become apparent that there will not be an agreement. Only the City Council can decide on this agreement. The developer has put into the agreement that it is not binding on them, so it should not be binding on the City. There has never been a development agreement like this in the past.

Item No. B-2, Z-0074-01, and B-3, Z-0074-01(1):

Mr. McCulloch stated that on December 10, 2001 the applicant requested these items be held in abeyance to the January 24, 2002 meeting in order to continue working on the hydrology issues.

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ITEM

ACTION

COMMISSIONERS BRIEFING:

Item No. B-4, V-0086-01:

Mr. McCulloch added that staff is recommending denial of this item based on there being no apparent physical hardship on the property so there is no need for a Variance for the setbacks.

Item No. B-5, U-0153-01:

Mr. McCulloch noted that staff would like to have this item stricken because during the review process it was determined that the request is not necessary.

Item No. B-7, Z-0016-98(19):

Mr. McCulloch also noted that staff would like to have this item stricken because during the review process it was determined that the application is not necessary.

Item No. B-20, V-0085-01:

Mr. McCulloch said staff is recommending denial based on there being no apparent physical hardship on the property. This batting cage was built without consulting the zoning code.

Item No. B-21, V-0087-01:

Mr. McCulloch noted that on December 10, 2001 the applicant requested this item be withdrawn. Chris Glore added that this can be acted upon even if the development agreement is not approved.

Item No. B-24, U-0146-01:

Mr. McCulloch explained that staff would like to have this item stricken because during the review process it was determined that the application is not necessary.

Item No. B-26, U-0107-90(3):

Mr. McCulloch said staff is recommending denial based on the inappropriate location of this billboard. It is 70 feet from residential properties and the code recommends 300 feet.

Mr. McCulloch adjourned the Briefing at 5:45 P.M.

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ITEM

ACTION

6:00 PM

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

CALL TO ORDER:

6:02 P.M., Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

Craig Galati Present
Chairman

Richard Truesdell Present
Vice Chairman

Michael Buckley Present

Steven Evans Present

Byron Goynes Present (Left 7:59 P.M.)

Laura McSwain Present

Stephen Quinn Excused

ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements.

This meeting has been properly noticed and posted at the following locations:

Clark County Government Center,
500 South Grand Central Parkway
Senior Citizens Center,
450 East Bonanza Road
Clark County Courthouse,
200 East Carson Avenue
Court Clerk's Office Bulletin Board,
City Hall Plaza
City Hall Plaza, Special Outside Posting
Bulletin Board

MINUTES:

Approval of the minutes of the November 15, 2001 Planning Commission meeting.

CHAIRMAN GALATI called the meeting to order at 6:02 P.M.

STAFF PRESENT:

Chris Knight, Deputy Director,
Planning and Development Department
John Koswan, Manager,
Planning and Development Department
Margo Wheeler, Manager,
Planning and Development Department
Chris Glore, Supervisor,
Planning and Development Department
Joel McCulloch, Senior Planner,
Planning and Development Department
Scott Albright, Senior Planner,
Planning and Development Department
Laura Martin, Planner II,
Planning and Development Department
Maria Bittner, Planner I,
Planning and Development Department
Daphnee Legarza, Project Engineer,
Public Works
Rick Schroder, Project Engineer,
Public Works
Bryan Scott, Deputy City Attorney,
City Attorney's Office
Deeny Araujo, Deputy City Clerk,
City Clerk's Office
Linda Owens, Deputy City Clerk,
City Clerk's Office

Mr. McCulloch announced this meeting is in compliance with the Open Meeting Law.

Buckley -

APPROVED AS AMENDED - Item Nos. B-19 and B-20 amended to indicate Goynes and Truesdell excused. Motion carried with Truesdell abstaining as he did not attend the meeting.

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ITEM

ACTION

A.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

A-1.

ABEYANCE - TM-0044-01 - CLIFF'S OFFICE PARK - NGA #2, LIMITED LIABILITY COMPANY ON BEHALF OF FOCUS COMMERCIAL GROUP INC.

Request for a Tentative Map for 1 lot on 4.5 acres adjacent to the northwest corner of Cliff Shadows Parkway and Buckskin Avenue, U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

ON DECEMBER 17, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE JANUARY 10, 2002 PLANNING COMMISSION MEETING.

CHAIRMAN GALATI stated the Consent items may be discussed if a Commission Member or Applicant so desires.

Buckley -

ABEYANCE TO THE JANUARY 24, 2002 PLANNING COMMISSION MEETING.

Motion carried with Truesdell abstaining due to a business relationship with one of the partners.
(Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that on December 17, 2001 the applicant requested this item be held in abeyance until the January 10, 2002 Planning Commission meeting in order to determine if there is a need for this application. Staff would prefer the item be heard at the January 24, 2002 meeting.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant and concurred with having this item held until the January 24, 2002 meeting.

To be heard by the Planning Commission on January 24, 2002.

(6:06 - 6:07) 1 - 130

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ITEM

ACTION

A-2.

**ABEYANCE - A-0081-01(A) - McNAMEE
FAMILY PARTNERSHIP**

Request to annex property generally located on the northwest corner of Grand Teton Drive and Cimarron Road, containing approximately 29.30 acres, (APN: 125-09-401-021, 022, 023 and 024), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, and A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms. (Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

(6:13 - 6:16) 1 - 340

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ITEM

ACTION

A-3.

**TM-0048-01 - CONCORDIA @ DEER SPRINGS
- CONCORDIA HOMES OF NEVADA, INC.**

Request for a Tentative Map for 80 lots on 10 acres adjacent to the northeast corner of the alignments of Campbell Road and Deer Springs Way, (APN's: 125-20-201-013 and 014), U (Undeveloped) Zone [ML-TC (Medium Low - Town Center) Land Use Designation] under Resolution of Intent to T-C (Town Center), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of approval for Rezoning (Z-0063-01), Site Development Plan Review [Z-0063-01(1)] as required by the City of Las Vegas Planning and Development, and Public Works Departments.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, and A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms. (Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

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ITEM

ACTION

TM-0048-01 - CONCORDIA @ DEER SPRINGS
- CONCORDIA HOMES OF NEVADA, INC.

APPROVED

Public Works

6. The Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts.

7. Provide pedestrian walkway easements for all sidewalks located outside of public right-of-way.

8. Site development to comply with all applicable Conditions of approval for the Town Center Residential Standards, Z-63-01, Z-63-01(1) and all subsequent site-related actions.

9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-4.

TM-0049-01 - SMOKE RANCH COMMERCIAL DEVELOPMENT - RANCHO DECATUR, LIMITED LIABILITY COMPANY

Request for a Tentative Map for a 1-LOT COMMERCIAL SUBDIVISION on 48.49 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road, C-2 (General Commercial) Zone, Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map, a new Tentative Map must be filed.

2. Street names must be provided in accord with the City's Street Naming Regulations.

3. All development is subject to the conditions of City departments and State Subdivision Statutes.

4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

5. Construct all incomplete half-street improvements on Rancho Drive, Smoke Ranch Road and Decatur Boulevard adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Quinn excused)

SAM DUNNAM, Dunnam Civil Engineers, 3471 West Oquendo Road, Suite 101, appeared to represent the applicant.

CHAIRMAN GALATI noted that five billboards were approved on this site recently. At that time the applicant stated that one reason for approving those signs was that there would not be any development on this site for a long time. Now there is a Tentative Map for a commercial subdivision. A condition of approval was that if commercial development came onto this site that those billboards may be removed at the discretion of the Council.

MR. DUNNAM responded that development of this property is subject to the Carey Detention Basin being expanded and some major flood control facilities being installed in Rancho.

This is final action.

(6:16 - 6:18) 1 - 440

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ITEM

ACTION

**TM-0049-01 - SMOKE RANCH COMMERCIAL
DEVELOPMENT - RANCHO DECATUR,
LIMITED LIABILITY COMPANY**

APPROVED

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

7. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:

I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 - foot wide dedicated public sewer easements.

II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.

III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.

8. The Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts.

9. An amendment to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings, issuance of any permits, or the recordation of a Final Map for this subdivision site, whichever may occur first.

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ITEM

ACTION

**TM-0049-01 - SMOKE RANCH COMMERCIAL
DEVELOPMENT - RANCHO DECATUR,
LIMITED LIABILITY COMPANY**

APPROVED

10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-5.

**TM-0052-01 - VILLAGE 20 - SUMMERLIN
PARCEL T & U - HOWARD HUGHES
PROPERTY ON BEHALF OF WILLIAM LYON
HOMES**

Request for a Tentative Map for a 153-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 45.35 acres adjacent to the southeast corner of Far Hills Drive and Desert Foothills Drive (APN: 137-26-311-002 & 003), P-C (Planned Community) Zone, Ward 2 (L.B.McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of approval for Zoning Application (Z-0119-96) and the Summerlin Development Plan Review (SV-0042-97), and to the Summerlin Development Standards.

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, and A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms.

(Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

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ACTION

**TM-0052-01 - VILLAGE 20 - SUMMERLIN
PARCEL T & U - HOWARD HUGHES
PROPERTY ON BEHALF OF WILLIAM LYON
HOMES**

APPROVED

7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

8. A Master Public Streetlight Plan shall be submitted and approved prior to the submittal of any construction drawings for this site.

9. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

10. Site development to comply with all applicable Conditions of approval for Z-119-96, Development Agreement DA-1-96, and SV-42-97, the Vistas at Summerlin Village 20, the Master Traffic Impact Analysis and all other applicable site-related actions.

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ITEM

ACTION

**TM-0052-01 - VILLAGE 20 - SUMMERLIN
PARCEL T & U - HOWARD HUGHES
PROPERTY ON BEHALF OF WILLIAM LYON
HOMES**

APPROVED

11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-6.

TM-0053-01 - CHARLESTON MARKET PLACE - ARAMESH AKHAVAN

Request for a Tentative Map for a 1-LOT COMMERCIAL SUBDIVISION on 2.12 acres at 5900 West Charleston Boulevard (APN: 138-36-406-006), R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Site development to comply with all applicable Conditions of approval for Rezoning (Z-0006-66), Site Development Plan Review [Z-0006-66(42)], and all other subsequent site related actions, and City Ordinances and Policies.

2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map, a new Tentative Map must be filed.

3. All development is subject to the conditions of City departments and State Subdivision Statutes.

4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

5. The Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 5 DELETED.

**Unanimous
(Quinn excused)**

DAPHNEE LEGARZA, Public Works, stated that the applicant would like to have Condition No. 5 deleted. Public Works has no objection to deleting that condition.

ARAMESH AKHAVAN, 7473 West Lake Mead Boulevard, Suite #100, said he concurs with staff's conditions except for Condition No. 5.

This is final action.

(6:18 - 6:19) 1 - 500

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ACTION

**TM-0053-01 - CHARLESTON MARKET
PLACE - ARAMESH AKHAVAN**

APPROVED

6. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:

Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.

Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.

Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.

7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

8. Site development to comply with all applicable Conditions of approval for Z-6-66(38) and all other applicable site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-7.

TM-0054-01 - GOLDRUSH VI - CITY OF LAS VEGAS ON BEHALF OF KB HOME NEVADA, INCORPORATED

Request for a Tentative Map for a 27-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.31 acres adjacent to the southeast corner of Cimarron Road and Alexander Road (APN: 138-09-501-001 & 002), U (Undeveloped) Zone under Resolution of Intent to R-PD5 (Residential Planned Development- 5 Units per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of approval for Rezoning (Z-0073-01), Site Development Plan Review [Z-0073-01(1)], and Variance (V-0070-01) as required by the City of Las Vegas Planning and Development, and Public Works Departments.

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, and A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms. (Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

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ITEM

ACTION

TM-0054-01 - GOLDRUSH VI - CITY OF LAS VEGAS ON BEHALF OF KB HOME NEVADA, INCORPORATED

APPROVED

Public Works

6. Submit a Petition of Vacation for portions of the Gowan North Channel drainage easement. Such Vacation shall be recorded prior to the recordation of a Final Map overlying the area to be vacated.

7. The Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts.

8. Site development to comply with all applicable Conditions of approval for Z-73-01, Z-73-01(1) and all other applicable site-related actions.

9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

A-8.

**TM-0055-01 - IRON MOUNTAIN RANCH
VILLAGE 6 - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY
ON BEHALF OF KB HOME NEVADA,
INCORPORATED**

Request for a Tentative Map for a 125-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 40 acres adjacent to the northwest corner of Bradley Road and Horse Drive (APN: 125-12-202-002), R-E (Residence Estates) under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of approval for Rezoning (Z-0016-98), Site Development Plan Review [Z-0016-98(13)] as required by the City of Las Vegas Planning and Development, and Public Works Departments.

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, and A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms. (Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:13 - 6:16) 1 - 340

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ITEM

ACTION

**TM-0055-01 - IRON MOUNTAIN RANCH
VILLAGE 6 - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY
ON BEHALF OF KB HOME NEVADA,
INCORPORATED**

APPROVED

Public Works

6. Submit a Petition of Vacation to Clark County or the city of Las Vegas, as appropriate for the west half of Dunneville Street (aka Leon Avenue). Such Vacation shall address the appropriate terminations of Guy Avenue and Brent Lane, including any additional right-of-way dedications to be shown on future Final Maps, and shall be approved by the Clark County Commission or the City Council prior to the submittal of a Final Map technical review for this site. The Order of Vacation shall record prior to the recordation of a Final Map adjacent to the Dunneville Street alignment.

7. Coordinate with the Development Coordination Section of the Department of Public Works to resolve issues related to the proposed stub street Sierra Kantor Drive at the western edge of this site prior to the submittal of a Final Map technical review. Sierra Kantor Drive may require redesign to comply with the Title 18 – Subdivision Ordinance.

8. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend oversized public sewer in Bradley Road from Grand Teton Drive to the north edge of this site and extend public sewer to the southwestern edge of this site to locations and depths acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the

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ITEM

ACTION

TM-0055-01 - IRON MOUNTAIN RANCH VILLAGE 6 - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF KB HOME NEVADA, INCORPORATED

APPROVED

City. Provide appropriate documents for submittal to Bureau of Land Management (BLM) necessary to obtain sewer easements in the Bradley Road and Horse Drive roadway alignments.

9. Site development to comply with all applicable Conditions of approval for Z-16-98, the Iron Mountain Ranch Master Development Plan , the approved traffic Access Analysis, and all other site-related actions.

10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-9.

**TM-0056-01 - IRON MOUNTAIN RANCH
VILLAGE 5 - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY
ON BEHALF OF KB HOME NEVADA,
INCORPORATED**

Request for a Tentative Map for a 213-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 39.54 acres adjacent to the southwest corner of Decatur Boulevard and Horse Drive (APN: 125-12-702-001 & 002), R-E (Residence Estates) Zone under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of approval for Rezoning (Z-0016-98), and all subsequent site related actions as required by the City of Las Vegas Planning and Development, and Public Works Departments.

3. The Final Map shall include a minimum 1.0-acre, centrally located 'pocket' park as required by the Iron Mountain Ranch Residential Planned Development Master Plan

4. Street names must be provided in accord with the City's Street Naming Regulations.

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, and A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms. (Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:13 - 6:16) 1 - 340

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ACTION

**TM-0056-01 - IRON MOUNTAIN RANCH
VILLAGE 5 - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY
ON BEHALF OF KB HOME NEVADA,
INCORPORATED**

APPROVED

6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

7. All development shall be in conformance with the site plan, except as amended by conditions herein.

Public Works

8. Appropriate Final Map Unit for Iron Mountain Ranch Village 4 shall record prior to the recordation of a Final Map for this site to provide public access to Boulder River Court.

9. A Petition of Vacation, such as VAC-25-01, shall record prior to the recordation of a Final Map for this site. Alternatively, a separate Petition of Vacation may be submitted and recorded prior to the recordation of a Final Map for this site in order to reduce the width of Thom Boulevard to the proposed width shown on this Tentative Map.

10. Dedicate 60 feet of right-of-way adjacent to this site for Decatur Boulevard, 40 feet for Horse Drive, 25.5 feet for Thom Boulevard, a 20-foot radius on the southeast corner of Horse Drive and Thom Boulevard, a 54-foot radius on the southwest corner of Horse Drive and Decatur Boulevard.

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TM-0056-01 - IRON MOUNTAIN RANCH VILLAGE 5 - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF KB HOME NEVADA, INCORPORATED

APPROVED

11. Construct half-street improvements including appropriate overpaving (if legally able) on Horse Drive and Thom Boulevard adjacent to this site concurrent with development of this site and construct half-street improvements including the west half of the median on Decatur Boulevard. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

12. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend oversized public sewer in Decatur Boulevard to Horse Drive to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

13. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Entranceways shall be designed, located and constructed in accordance with Standard Drawing #222a.

14. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

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ITEM

ACTION

**TM-0056-01 - IRON MOUNTAIN RANCH
VILLAGE 5 - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY
ON BEHALF OF KB HOME NEVADA,
INCORPORATED**

APPROVED

15. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

16. Site development to comply with all applicable Conditions of approval for Z-0016-98, the Iron Mountain Ranch Master Development Plan, the approved traffic Access Analysis, and all other site-related actions.

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ACTION

TM-0056-01 - IRON MOUNTAIN RANCH
VILLAGE 5 - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY
ON BEHALF OF KB HOME NEVADA,
INCORPORATED

APPROVED

17. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-10.

**TM-0057-01 - MAYFIELD - J. COBLENTZ
1994 TRUST ET AL ON BEHALF OF KB
HOME NEVADA, INCORPORATED**

Request for a Tentative Map for a 376-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 63.28 acres on the northeast corner of Alexander Road and Pioneer Way (APN: 138-03-303-001 & 138-03-402-001), U (Undeveloped) Zone [L (Low Density Residential) and ML (Medium-Low Density Residential) General Plan Designations] and R-E (Residence Estates) Zone under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre) and R-PD7 (Residential Planned Development - 7 Units per Acre), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. *The multi-use, non-equestrian trail along the east side of Pioneer Way should be labeled and comply with the following standards:*

A 20 foot wide trail, including a 10 foot wide trail path, shall be provided along the east side of Pioneer Way and replace the requirement for a sidewalk.

Five feet of the 20-foot wide trail shall be located within the street right-of-way back from the street curb. The 10 foot wide trail path shall be deeded to the City as a "transportation trail path," unless the applicant expresses written interest to retain the trail path in private ownership as a common lot owned by a home owners association.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH ADDITIONAL CONDITION AS PRESENTED BY PUBLIC WORKS.

**Unanimous
(Quinn excused)**

DAPHNE LEGARZA, Public Works, said she would like to add a condition as follows:

Construct half-street improvements on Tenaya Way, Alexander Road, and Pioneer Way adjacent to this site concurrent with development of this site. Also, construct widened paving on Tenaya Way and Pioneer Way from the north edge of this site northward to tie into the existing improvements on Craig Road; temporary paving may be used for the required widened paving. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damage or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. This condition shall supercede all previous construction requirements.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, Suite #100, represented KB Home Nevada, Inc., and concurred with staff's conditions. He also concurred with the additional condition as submitted by Public Works.

This is final action.

(6:19 - 6:21) 1 - 550

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TM-0057-01 - MAYFIELD - J. COBLENTZ
1994 TRUST ET AL ON BEHALF OF KB
HOME NEVADA, INCORPORATED

APPROVED

The trail path shall consist of Portland cement concrete, meeting the design standards for a sidewalk. The cross slope shall have no more than a two percent cross slope directed toward the street or the direction of drainage flow. The trail path shall be located five feet from the street curb and five feet from the perimeter wall, although these dimensions may be varied to accommodate drainage and infrastructure installations.

Five-foot amenity zones shall be provided along both sides of the trail path. The amenity zones shall be provided with irrigation and landscaping, including shade trees located 20 feet on center on either side of the trail path. This spacing may be varied to accommodate unique landscape features.

No above or below ground utility installation shall be located within the trail that will in any way encroach upon the full use and enjoyment of the trail path.

An easement for use of the trail by the public shall be provided. No easement is necessary for the trail path if it is deeded to the City.

The trail shall be maintained by a home owners association.

If a bus turnout lane is provided, the trail path shall transition to a location abutting the bus turnout lane. In doing so, the trail may be decreased to a width of 10 feet in the location of the turnout lane.

One removable bollard shall be located at each street intersection to prohibit motor vehicles from using the trail path.

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ITEM

ACTION

**TM-0057-01 - MAYFIELD - J. COBLENTZ
1994 TRUST ET AL ON BEHALF OF KB
HOME NEVADA, INCORPORATED**

APPROVED

2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

3. All development shall conform to the Conditions of approval for Site Development Plan Review [Z-0076-01(1)] and all other subsequent site related actions.

4. Street names must be provided in accord with the City's Street Naming Regulations.

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. Parcel map, PM-22-01, shall record prior to the recordation of a Final Map for this site.

8. The Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts.

9. Site development to comply with all applicable Conditions of approval for Z-76-01, Z-76-01(1) and all subsequent site related actions.

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ACTION

TM-0057-01 - MAYFIELD - J. COBLENTZ
1994 TRUST ET AL ON BEHALF OF KB
HOME NEVADA, INCORPORATED

APPROVED

10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

A-11.

Z-0079-98(3) AND Z-0057-99(2) - BOTT 1983 TRUST

Request for an Extension of Time on an approved Rezoning from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to R-PD2 (Residential Planned Development - 2 Units per Acre) of 16.19 Acres on the south side of Tropical Parkway, approximately 220 feet east of Jones Boulevard (APN's: 125-25-301-004 and 005), PROPOSED USE: 37 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time for Z-0079-98 and Z-0057-99 shall expire on November 17, 2002.

2. Conformance with the Conditions of approval for Z-0079-98, Z-0057-99 and all site-related actions, as required by the Planning and Development Department and Department of Public Works.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, and A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms. (Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be heard by the City Council on February 6, 2002.

(6:13 - 6:16) 1 - 340

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

A-12.

VAC-0028-99(2) - BOTT 1983 TRUST

Request for an Extension of Time for an approved Vacation to vacate Rowland Avenue and Smithsonian Way generally located south of Tropical Parkway, east of Jones Boulevard, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. If the Order of Vacation is not recorded by November 30, 2002, then approval will terminate and a new petition must be submitted, unless the Planning Commission approves another Extension of Time.

2. All previous Conditions of approval for VAC-0028-99 and all other site-related actions must be satisfied.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms. (Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:13 - 6:16) 1 - 340

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

A-13.

VAC-0058-99(2) - KRYFRAM, LP ON BEHALF OF AMLAND DEVELOPMENT

Request for an Extension of Time for an approved Vacation to vacate a ten foot wide public drainage easement generally located south of Sky Pointe Drive and west of Tenaya Way, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If the Order of Vacation is not recorded by January 19, 2003, then approval will terminate and a new petition must be submitted, unless the Planning Commission approves another Extension of Time.

2. Conformance to all applicable Conditions of approval of Vacation (VAC-0058-99) and all other site-related actions must be satisfied.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, and A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms. (Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:13 - 6:16) 1 - 340

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ITEM

ACTION

A-14.

**A-0084-01 - SUMMIT HOLDINGS, LIMITED
LIABILITY COMPANY, ET AL**

Petition to Annex 20.0 acres of land generally located on the southeast corner of Alexander Road and the western beltway alignment (APN: 137-12-501-001, 002, 010 and 011), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-2, A-3, A-5, A-7, A-8, A-9, and A-11 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley abstaining on Item Nos. A-7, A-8, A-9 and A-10, Galati abstaining on Item No. A-5, and McSwain abstaining on Item Nos. A-7, A-8, A-9 and A-10 as the applicants are clients of their firms. (Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

(6:13 - 6:16) 1 - 340

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ACTION

B.

PUBLIC HEARING ITEMS:

B-1.

ABEYANCE - DA-0002-01 - MONTECITO TOWN CENTER, LIMITED LIABILITY COMPANY

Request for a Development Agreement on 172.46 Acres TO ESTABLISH A SET OF DEVELOPMENT STANDARDS FOR PORTIONS OF THE URBAN CENTER MIXED USE (UC-TC) AND MAIN STREET MIXED USE (MS-TC) LAND USE DISTRICTS WITHIN THE TOWN CENTER ZONING DISTRICT on property generally located north of Centennial Parkway, west of Durango Drive, South of Elkhorn Road, and east of El Capitan Way (APN's: Multiple), T-C (Town Center) Zone, Ward 6 (Mack).

NOTICES MAILED 342

APPROVALS 4 (Speakers)

PROTESTS 0

STAFF RECOMMENDATION: Approval, upon correction of the following:

Planning and Development

1. Page 12 of the Development Agreement, paragraph 1.1(45); change "...Sector Plan adopted November 9, 1998..." to "...Sector Plan adopted May 25, 1999...".

2. Page 14 of the Development Agreement, paragraph 3.3.b: change "...accordance with this agreement, and..." to "...accordance with this agreement, or...".

3. Rewrite paragraph 4.1 on Page 16 of the Development Agreement so density is emphasized using the phrases "dwelling units per acre" and "floor area ratio".

Buckley -

ABEYANCE TO THE JANUARY 10, 2002 PLANNING COMMISSION MEETING (Staff to craft language that is responsive to the conditions of approval incorporating minimum FAR in the three phases; development agreement not include default for failing to build at a certain time, but only failing to build in accordance with the FAR plans; that the City work on the pay-as-you-go concept, keeping the maximum at 10 million square feet; and a minimum should not be specified in a phase, but each piece of property must demonstrate how a higher FAR could be achieved on the site).

Motion carried with Goynes voting NO.

(Quinn excused)

CHRIS KNIGHT, Planning and Development, said the City and Bob Schulman's Montecito organization entered into negotiations on a development agreement in May of this year, culminating in October of this year. The City Manager's Office, Public Works, Planning and Development, and the City Attorney's Office all worked on this agreement. On the consultants side were Bob Schulman, Frank Nielsen, Nick Niarcos, Mark Fiorentino, Matt Werner and several other consultants advising Mr. Schulman.

The issues are as follows:

1. Default of the Development Agreement. There is no default. Staff would like to see that if there is a lesser degree of development that has a negative impact on Town Center a default would occur. Town Center is to provide for the growth and development in a 56 square mile area with a population of 330,000 people, but this request is to develop 2,500 acres. The Montecito development is located in the heart of Town Center and will occur in stages. There should be a minimum performance standard that moves into the future and does not develop at the same level that development has occurred throughout the valley. The original vision of Town Center is that it would be more than the standard strip commercial development in other areas of the city because more will be provided with less area.

2. Timing of the Development. It is for fifteen years, but there is a ten-year program for build-out with no default if progress is not met. A schedule should be established with minimum levels of development.

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4. Per NRS 278.0201, paragraph 4.1 on page 16 should set forth the "...density or intensity of the use..." of the project. This should include minimums as well as maximums to achieve Town Center goals.

5. Page 17, paragraph 4.5 should include language that holds the developer responsible for meeting or exceeding the concepts potential. If this is not acceptable the language of the last sentence should read: "*The Montecito site plan is not binding on the owner, the project, or the city.*"

6. Page 18, in subparagraph 'c', second line, suggest changing "... or more intensive ..." to "... or more restrictive ...".

7. Page 10 of the Design Standards Appendix, paragraph 2.2; the Land Uses listed do not match those in figure 3 of the Design Standards.

8. Change all references in the Design Standards Appendix: "...Town Center Design Standards..." to "...Town Center Development Standards...".

9. Change all references to "...Standards Appendix adopted by the City..." to "...Standards adopted by the City...".

City Attorney

10. A portion of Section 2.1 currently says: "Owner and City mutually agree (i) that it is their intent that the Montecito Town Center Land Use and Design Standards Appendix shall control all issues and matters governed by the Montecito Town Center Land Use and Design Standards Appendix and (ii) the Town Center Development Standards shall govern those issues and matters which are not governed by the Montecito Town Center Land Use and Design Standards Appendix."

3. Conceptual Site Plan. The applicant agrees to a conceptual site plan, but does not want it binding on them. Therefore, staff does not feel it should be binding on the City either.

4. Proportional Benefits. Staff's concern is that if there are no minimum development standards there is no assurance to get the development that moves toward the vision.

5. Maximum Square Footage. State Statutes require that there be a maximum building size. The maximum square footage proposed to staff is 10 million square feet to be built on the 192-acre site. They have reworked their numbers and requested that they be reduced to 4 million square feet. Staff would recommend it remain at 10 million square feet. A five-story building would be required on a one-acre site at full build-out. That fits the Town Center standards. Four million square feet would allow a one-story building with full development of the site.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. A lot of work has been done on this agreement. This is a fifteen-year agreement with a fifteen-year renewal period. It locks in standards for the entire term of the agreement. It identifies what infrastructure needs there will be and establishes a mechanism for the developer to pay for that infrastructure. It also establishes buffering standards, open space requirements, and height restrictions for Timberlake. It provides for a frontage road at the developer's expense at an accelerated schedule and provides for constant and regular input by the City.

He agreed to deleting the site plan being binding to the applicant and City.

One issue is what the maximum density should be as the State Statutes require maximum density, whether there should be a minimum density at all, and a time frame to meet certain minimum densities.

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This section should be replaced by the following:
"Owner and City mutually agree (i) that it is their intent that the Montecito Town Center Land Use and Design Standards Appendix shall supersede the Town Center Development Standards with respect to all issues and matters addressed in such Appendix which are normally reviewed by the Planning Department, excluding those issues and matters the City's Department of Public Works normally reviews under the Normal City Rules and (ii) the Town Center Development Standards shall govern the other issues and matters normally reviewed by the Planning Department which are not addressed adequately in such Appendix. The City hereby acknowledges that the Montecito Town Center Land Use and Design Standards Appendix meets or exceeds the standards set forth in the Town Center Development Standards in connection with those matters addressed in such Appendix."

11. All of section 4.4 should be replaced with the following. "Time for Development of the Montecito Town Center. Owner shall endeavor to develop the Project in accordance with the time schedule set forth in Exhibit B hereto (the "Schedule"), which is incorporated by this reference. Said Schedule is divided into two (2) year development increments to coincide with the progress review periods mandated by statute and as set forth in Section 5 herein. Each two (2) year increment sets forth the minimum goal of development the Owner agrees to endeavor to accomplish by the end of such incremental period, so that the total build out of the Project can be accomplished by the conclusion of the Term of this Agreement. Owner shall have the right to complete the development required under the Schedule in any shorter period of time than required in the Schedule. Any lesser degree of development than set forth in the Schedule shall be a matter for consideration by the City at the

The current development agreement lists 10 million square feet of commercial development and 2,500 units of residential. They started doing research, which resulted that 10 million square feet is unrealistic. They used the Hughes Center in their research as it has a mix of uses. That total square footage is 1.4 million. Its total build-out will be 2.3 million square feet. Another example is the Bellagio Hotel/Casino side of the Strip, which is 186 net acres. There is 6.5 million square feet and has amenities that will not be in the northwest quadrant. Based on the Las Vegas Prospective Report, there is currently 48 million square feet of commercial and retail development in the entire valley. Therefore, 10 million square feet would be between a third and a fourth of all the development in the valley.

If the infrastructure has to support 10 million square feet, which could take over 20 years, the project may not be feasible. One proposal would be to amend the square footage to 4 million and reduce the residential units to 1,250. Or, the maximum densities could be left as they are, but assure that the development agreement establishes a pay-as-you-go requirement for the infrastructure.

The second major issue is establishing a minimum density and minimum schedule and if they are not met a default could be declared. They would prefer a schedule broken down every two years for the life of the agreement and be required to report to the City Council every two years. They cannot accept a minimum default provision and minimum density because in reality a contract between the City and developer cannot control the market. He has never heard of a development agreement which requires the developer to build a certain square footage by a certain time even if there was no market for it. If that were imposed, it will become prohibitive to develop because they will not be able to attract joint venture partners and lenders to invest in a project if there is the risk that if they don't build a certain amount of space they can be in default.

Mr. Schulman wants to make as much money and as fast as he can within the limits of what the market will allow. Secondly, there is going to be a great deal of financial pressure because once the agreement is signed they will have committed about \$18 million in infrastructure costs, primarily in roadway improvements.

CHAIRMAN GALATI declared the Public Hearing open.

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time of any review conducted pursuant to Section 5 and will be evaluated by the parties as to the reasons and causes therefore, together with any corrections or alternatives that may be suggested by the evaluation. Following such evaluation, the parties may revise the Schedule and continue with this Agreement if appropriate, or take other action as may be necessary in the interests of the Project and the City. In the event the City determines that a lesser degree of development than set forth in the Schedule has substantially undermined the purposes of this Agreement or had a negative impact on the development of Town Center, the City may consider such lesser degree of development to be a default of this Section of the Agreement. Owner shall have the discretion to control the timing of development within any particular two (2) year increment of the Schedule, subject to the Montecito Rules.”

Public Works

Development Agreement Comments

12. Section 4.9(b) – The first sentence talks about a property owner association for maintenance of landscaping needs to be formed prior to the recordation of any Final Maps. The language should include “prior to the issuance of any building permits” because there may be commercial developments that are not mapped (such as the one currently in process) that will ultimately need to participate in a larger maintenance district.

13. Section 4.13 (b) – “inure” should be changed to “insure”

14. Section 8.1 – Add to third sentence, “Owner shall grant rights-of-way or easements to perpetuate the continuation of sewer lines identified as Option 2 in the Master Sewer Plan for Town Center.”

TODD FARLOW, 240 North 19th Street, felt there has to be something in the agreement to protect the City.

DOTTY MILLER, Timberlake, 8213 Mountain Heather Court, appeared in approval, but was not in favor of the entire agreement. The density is unrealistic. The residents disagree with the 550 multi-family units and the 950 units near the ballfields. She wanted to know how many stories.

DONALD BLOOM, Timberlake, 6500 Deer Hollow Street, said there have been many meetings in regard to this proposal. With the lower density it would allow for a better quality of residents and better quality of stores. He was concerned about emergency responses. The lower density would be more compatible.

MANUEL ARIAS, Timberlake, 8237 Fawn Heather Court, appeared in approval. He objected to the higher density.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER McSWAIN wondered why there is a concern about maximums and minimums. She also asked who would be putting up the money.

ATTORNEY FIORENTINO responded that the State Statutes require a maximum. Some of the funds for the roadways would be derived from a Special Improvement District and RTC funds. The sewer, etc., are developer related costs.

COMMISSIONER BUCKLEY felt that if the City is going to require a greater infrastructure, then they should take some responsibility to pay for it. In addition, if there is a development agreement that says there will be a default if a certain projected build-out is not met, it seems that there should be a process in the development agreement where there is no danger of the lenders, joint venture partners, etc. withdrawing. He did not hear of an objection to build certain densities. He thought the City was allowing the developer to build a first generation density, but to redevelop it has to be Y, etc. He suggested having a five year term and if it is not progressing the way it was projected, then it terminates. Or, perhaps it would cover a smaller area.

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15. Sections 10.3(c) and 10.4(b) – These sections should discuss that ultimately the streets will have curb, gutter and sidewalk – there are currently discussions to have pavement only on the Loop Road and El Capitan Way until later when either development occurs or there is the formation of an SID to construct those remaining improvements.

16. Section 10.7 – This section needs to be clarified. It seems to imply that the City will make that portion of Deer Springs Road between the Durango alignment and the Frontage Road public again, which is not likely.

17. Section 12.4 – correct the City of Las Vegas' zip code to 89101"

18. Exhibit "H" – Paragraph (A), Section (4) – should be corrected to read "Sight Visibility Restriction Zones"

Development Standards Comments:

19. Sections 3.6, 3.7, and 4.3.3 – Add clarification that walls and signs will not be in the Sight Visibility Restriction Zones, and that landscaping be under 24" or over 72".

20. The large pullout exhibits showing the illustrative Master Plan are in conflict with Exhibits "E", "F", "G", "I", and "M"; the latter exhibits do not show the connection from "Timberlake Trail" over to the frontage road. Also, the Owner or the City does not control the property that this affects, as well as the property immediately east of the park, and therefore, the City is making no commitments to these proposed connections, which is addressed by Condition of Approval #5 below.

ATTORNEY FIORENTINO said they do not have an objection to set certain projections and report to the City. The problem comes when the developer has to build within a certain period of time or is declared in default. He objected to committing to building the infrastructure and in five years if nothing is built the agreement would be taken away and the standards would be eliminated. If there is no development agreement the project would be built in stages as the market allows. There will progressively be more pressure on the City to approve the lower densities because residences will be developing. Most importantly for the City, the frontage road would not get built according to the needs.

CHRIS KNIGHT felt if there is no development agreement then there would be specific proposals according to the adopted commercial standards. That would allow the City to get what they are looking for in Town Center. In regard to the FAR, staff's intention is that it becomes a design issue that whatever is built drives the size of the site. The time frame is another issue. Staff is saying that whenever a development comes in the guideline is going to be that the development will meet a certain FAR, which gives the City a minimum standard. The amount of time is not relevant to the FAR. The timing is not mixed with the floor ratio.

COMMISSIONER BUCKLEY asked what the process would be for a 20-acre site, for example. ATTORNEY FIORENTINO responded that it has to go to the Planning Commission and City Council. The only difference would be that the development agreement contains a more refined set of standards than applied to the rest of the Town Center.

COMMISSIONER BUCKLEY pointed out that in the development standards it says in Section 2.2 that no single center will dominate another. One center is a low intensity office center. He asked if the permissible uses are the same as the Town Center uses. ATTORNEY FIORENTINO said they are similar, but the uses are expanded from what is required for some of the uses. The conditions for the uses are not in the development agreement. The agreement indicates that if an issue is not addressed in the standards then there would be a default to the Town Center standards and then to Title 19A.

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Conditions of approval:

21. A supplement to the drainage study accompanying this Development Agreement shall be submitted to and approved by the Flood Control Section of the Department of Public Works prior to the issuance of any permits or the recordation of any Final Maps for this site and shall meet the minimum criteria as set forth by the Clark County Regional Flood Control District manual.

22. A supplement to the Traffic Impact Analysis accompanying this Development Agreement shall be submitted to and approved by the City prior to the issuance of any permits or the recordation of any Final Maps for this site and shall meet the scope of work set forth by the City Traffic Engineer. This supplement shall include a section requiring the Owner to pay his proportionate share of any signal that services private development rather than the public street system.

23. A supplement to the sewer study accompanying this Development Agreement shall be submitted to and approved by the Collection Systems Planning Section; this study shall address the sewer capacity required to service 2500 residential units and 10,000,000 square feet of commercial space, as is included in the Development Agreement and DINA. Unless the Owner provides an alternate sewer plan, this may require the connection to the El Capitan sewer, and therefore, the Owner would be responsible for paying their proportionate share of the cost to extend El Capitan Way sewer line; the Development Agreement shall be modified to reflect such changes.

COMMISSIONER BUCKLEY asked what comprises the Architectural Review Committee. MR. KNIGHT responded that it comes out of the Town Center standards and commercial standards that were recently adopted for signage review. It will be created whether the Development Agreement is approved or not.

CHAIRMAN GALATI gave an example that if the market indicates there is a need for 100,000 feet, the site area would be determined by a minimum FAR. For instance, if there was a .35 FAR, that would state 100,000 feet could be developed on this size site. That would leave land to allow those other densities to get there without rebuilding. MR. KNIGHT responded that in the market a typical suburban strip mall is built on an FAR of about .25. There are exceptions to Town Center in that there are 2,500 acres of growth and development for 56 square miles of commercial. That gives a monopoly to those who own land in Town Center because it would not be advisable to have commercial spilling out of Town Center. There would be more building on a site than in a normal strip development, which would be first generation. When beginning to rebuild on those generations there would be a higher FAR, and the third generation would be one or greater where the urban center core would be built.

COMMISSIONER TRUESDELL felt the assumption is that each generation is replacing the buildings that are existing as opposed to filling in open spaces. New buildings that are built today that have a four story structure and fifteen year life would be difficult to imagine being demolished. It seems more realistic to plan a site where that four-story structure is adjacent to higher densities. The market is very critical. The limitation should be what the maximum growth could be. He was concerned about a default taking place. MR. KNIGHT responded that it is not necessarily a tear down, but an infill, in second and third generations. The Planning and Development Department is willing to work with Public Works and the developers to figure out how a pay-as-you-go would be accomplished. The City does not want to establish such a low ceiling so developments are suppressed.

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24. The extensions of the roadways beyond the boundaries of this site as shown on Exhibit "A" are shown in concept only and do not bind the City or necessarily depict the final alignments of the future roadway network.

25. Submit a plan for approval by the City showing how the old Durango Drive alignment next to the Timberlake Subdivision will be terminated and incorporated as a buffer (as discussed in Section 2.2.1 of the Land Use and Design Standards) prior to the issuance of any permits or the recordation of any maps for any portion of this site abutting the old Durango Drive alignment.

ATTORNEY FIORENTINO said there is a difference between allowing, encouraging, and setting a ceiling on density and development and requiring it. They are agreeable with allowing and encouraging it because they plan to build as fast as the market allows. Whatever requires the developer to build is ill advised for the developer and the City. If the City says the minimum FAR for the first five years has to be .35, they will be indirectly controlling the market. Their concern is not being careful in planning and demonstrating to the City when projects are brought forward that they can evolve into other projects and achieve the ultimate goals, but setting the time limit on how they get to a certain point.

COMMISSIONER BUCKLEY clarified that the City is not saying the first five years have to be a certain FAR. They are also saying that it will have to be more than a strip center.

COMMISSIONER EVANS felt the Planning Commission is not the proper venue to work out all the specifics. He asked if there could be performance standards without a specific default provision.

COMMISSIONER TRUESDELL felt the City and developer are far apart on some of the remaining issues. However, he is concerned with crafting those issues at this meeting. Perhaps this could be held and still meet the same City Council meeting. ATTORNEY FIORENTINO did not feel this could still be heard at the same City Council meeting. However, he requested that the direction on the default issue should be resolved at this meeting. If the Planning Commission feels there should be a default provision, then there is no reason to waste time.

COMMISSIONER TRUESDELL did not feel there are default times in the agreement.

MR. KNIGHT said the objective of staff is not to work the developer into a position where he is in default, but to work with the developer to get a mutually agreed upon goal. The maximum densities can be determined as long as there is a timing of the development. Whether that would constitute a default could be worked out with the developer. He wants the Planning Commission to work out the concepts and let staff work out the end results. He encouraged this application to be moved forward to the City Council.

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COMMISSIONER McSWAIN said if this is a situation where the developer is being imposed a certain FAR that they do not feel the market will bear, then that would create a time imposition. By having an agreement the City is better able to get the type of development they would prefer. She felt this could be approved at this meeting.

MR. KNIGHT felt the FAR is similar to today's market. Staff does not want the developer to be pioneering new ground.

CHAIRMAN GALATI thought this situation is contrary to whatever has been before the Planning Commission. The key to making Town Center densities is not allowing commercial outside Town Center. He wondered if it is better to have two acres developed at a high density and 80 acres of vacant land for many years or better to have ten acres developed at a lower density knowing that the land could be developed at a higher density. In regard to the default, the market conditions and only having commercial in Town Center gives assurance that density will happen in time.

ATTORNEY FIORENTINO noted that the Summerlin Agreement has default provisions. This agreement has the same default provisions. What the Summerlin Agreement does not have is a minimum density nor a default provision in respect to a minimum density.

COMMISSIONER BUCKLEY thought this item should be held in abeyance and he suggested that the two parties return with what will be built in Phase 1, Phase 2, etc. and incorporate the pay-as-you-go concept.

ATTORNEY FIORENTINO said they are not prepared to accept a minimum density in FAR or total square footage.

COMMISSIONER McSWAIN asked staff if they would require a minimum or maximum FAR on a specific project if there were no agreement. MR. KNIGHT said staff would be trying to address that issue on every project that was submitted to the City.

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COMMISSIONER BUCKLEY proceeded to make a motion. CHAIRMAN GALATI suggested adding to the motion that perhaps a minimum should not be specified in a phase, but each piece of property must be demonstrated how a higher FAR could be achieved on the site that would meet the City's goal. If this is held in abeyance it will definitely be moved to the City Council at the next Planning Commission meeting.

To be heard by the Planning Commission on January 10, 2002.

(6:21 - 7:59) 1 - 600/ 2 - 1

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ACTION

B-2.

ABEYANCE - Z-0074-01 - RICHARD & BARBARA STIMAC AND KAY RODRIGUEZ

Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.53 acres at 7075 West Craig Road (APN: 138-03-701-003), PROPOSED USE: RETAIL/OFFICE COMPLEX, Ward 6 (Mack).

ON DECEMBER 10, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE JANUARY 24, 2002 PLANNING COMMISSION MEETING TO ALLOW ADDITIONAL TIME TO RESEARCH AND RESOLVE THE HYDROLOGY ISSUES AFFECTING THE SITE.

Truesdell -

TABLED ITEM NOS. B-2 [Z-0074-01] AND B-3 [Z-0074-01(1)].

**Unanimous
(Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated that on December 10, 2001 the applicant requested Item Nos. B-2 and B-3 be held in abeyance until the January 24, 2002 Planning Commission meeting in order to continue working on the hydrology issues. However, staff has become aware that it may be some time before those issues are resolved. If they are held in abeyance staff would send a new notification.

There was no one present to represent Item Nos. B-2 and B-3.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:07 - 6:08) 1 - 155

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ACTION

B-3.

ABEYANCE - Z-0074-01(1) - RICHARD & BARBARA STIMAC AND KAY RODRIGUEZ

Request for a Site Development Plan Review FOR A PROPOSED OFFICE/RETAIL COMPLEX (Craig Market Place II) on 3.53 acres at 7075 West Craig Road (APN: 138-03-701-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], PROPOSED: C-1 (Limited Commercial) Zone, Ward 6 (Mack).

ON DECEMBER 10, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE JANUARY 24, 2002 PLANNING COMMISSION MEETING TO ALLOW ADDITIONAL TIME TO RESEARCH AND RESOLVE THE HYDROLOGY ISSUES AFFECTING THE SITE.

Truesdell -

TABLED ITEM NOS. B-2 [Z-0074-01] AND B-3 [Z-0074-01(1)].

**Unanimous
(Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated that on December 10, 2001 the applicant requested Item Nos. B-2 and B-3 be held in abeyance until the January 24, 2002 Planning Commission meeting in order to continue working on the hydrology issues. However, staff has become aware that it may be some time before those issues are resolved. If they are held in abeyance staff would send a new notification.

There was no one present to represent Item Nos. B-2 and B-3.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

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B-4.

V-0086-01 - LEROY AND NANCY WILDER TRUST

Request for a Variance TO ALLOW ZERO FEET SIDE AND REAR YARD SETBACKS WHERE TEN FEET IS THE MINIMUM SIDE YARD SETBACK REQUIRED AND 20 FEET IS THE MINIMUM REAR YARD SETBACK REQUIRED on 3.03 acres generally located adjacent to the north side of Roberta Lane approximately 270 feet west of Decatur Boulevard (APN: 138-13-701-045 and 050), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 152 (Mailed with U-0153-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. This Variance shall expire in two years, unless it is exercised or an Extension of Time is granted by the City Council.

2. Approval of and conformance to the Conditions of approval for Special Use Permit (U-0031-01) and Site Development Plan Review [Z-0051-01(1)].

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated there are no unique or extraordinary circumstances associated with the subject site and that it is primarily a vacant flat piece of land. In addition, staff finds that the applicant is attempting to overbuild the site by requesting a 100% reduction in the rear and side yards. Staff recommended denial.

DAVID TURNER, Baughman & Turner, Inc., 1210 Hinson Street, appeared to represent the applicants.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest.
CHARLES DRONSSIELD, 220 Mellenham, appeared in protest.

HILLEVIA DAVIS appeared on behalf of her parents in protest.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-6 for related discussion.

To be heard by the City Council on January 16, 2002.

(8:22 - 8:38) 3 - 161

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B-5.

U-0153-01 - LEROY AND NANCY WILDER TRUST

Request for a Special Use Permit for a MINI-WAREHOUSE on 3.03 acres adjacent to the north side of Roberta Lane approximately 270 feet west of Decatur Boulevard (APN: 138-13-701-045 and 050), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

STAFF RECOMMENDATION: STAFF HAS DETERMINED THAT THIS APPLICATION IS NOT NECESSARY BECAUSE THE ORIGINAL APPLICATION WAS APPROVED IN CLARK COUNTY AND THEN ANNEXED INTO THE CITY.

**Truesdell -
STRICKEN
Unanimous
(Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated staff has determined that this application is not necessary since it was originally approved in the County. Staff requested this item be stricken.

DAVID TURNER, Baughman & Turner, Inc., 1210 Hinson Street, appeared to represent the applicants and had no objection to having this item stricken.

CHAIRMAN GALATI stated that since this item will be stricken he is not going to take any public comment.

(6:08 - 6:10) 1 - 190

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ACTION

B-6.

ABEYANCE - Z-0051-01(1), Z-0013-00(1) and ZC-567-95(1) - WILDER FAMILY TRUST, ET AL

Request for a Site Development Plan Review and a Reduction in required perimeter landscaping for a PROPOSED 118-UNIT MULTI FAMILY RESIDENTIAL DEVELOPMENT AND 59,180 SQUARE FOOT MINI-STORAGE FACILITY on approximately 7.53 acres south of Madre Mesa Drive, approximately 650 feet west of Decatur Boulevard (APN: 138-13-701-024, 025, 045, 046, 050, and 052), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-3 (Medium Density Residential); U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial); and U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-3 Medium Density Residential], Ward 5 (Weekly).

NOTICES MAILED 152 (Mailed with GPA-0024-01 and Z-0051-01)

APPROVALS 0

PROTESTS 3 (Speakers)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. Submittal of a revised site plan for the apartments, for staff review prior to the issuance of any building permits, depicting the required handicap parking spaces with proper access aisles.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH ADDITIONAL CONDITION OF 24 INCH BOX MONDALE PINES 20 FEET ON CENTER, APPROPRIATE GROUND COVER AND SHRUBS; AND ACCESS ON ROBERTA LANE TO BE CRASH GATE ONLY.

**Unanimous
(Goynes and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated this site plan presents an orderly arrangement of buildings and parking areas, as well as landscape planters. Staff has a condition in regard to the apartments for handicapped parking spaces and providing a recreational amenity. In addition, staff is recommending conditions for the mini-warehouse that address customer parking and perimeter landscape requirements. Staff recommended approval, subject to the conditions.

DAVID TURNER, Baughman & Turner, Inc., 1210 Hinson Street, appeared to represent the applicants. This zoning and site plan were originally approved in the County and the property has been annexed into the City with the understanding that the City would stand by the site plan. The owner has recorded a Parcel Map creating this lot based on the site plan. They have applied for building permits based on the site plan. In addition, it does not make any sense to hold the buildings back 10 feet because that would create a situation of two block walls 10 feet from each other with landscaping in-between. That would be a trash collector and a haven for vagrants.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He asked if there is an agreement with the neighbors to share in the upkeep of the existing wall.

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ABEYANCE - Z-0051-01(1), Z-0013-00(1) and ZC-567-95(1) - WILDER FAMILY TRUST, ET AL

3. Submittal of a revised site plan for the apartments, for staff review prior to the issuance of any building permits, depicting a recreational amenity in the landscaped area adjacent to the proposed office.

4. Submittal of a revised site plan for the mini-warehouses, for staff review prior to the issuance of any building permits, depicting the required setbacks or obtain approval of a Variance for setback reductions by the Planning Commission.

5. Submittal of a revised site plan for the mini-warehouses, for staff review prior to the issuance of any building permits, depicting the required amount of parking spaces or obtain approval of a Variance for parking reductions by the City Council.

6. Submittal of a revised landscape plan for the mini-warehouses, for staff review prior to the issuance of any building permits, depicting the required perimeter landscape planters or obtain approval of a Variance for setback reductions by the Planning Commission.

7. Submittal of a revised landscape plan for the apartments, for staff review prior to the issuance of any building permits, depicting the required landscape planter fingers or an acceptable alternative.

8. Conformance to the Conditions of approval for Rezoning Z-0051-01, Variance (V-0086-01 and any other site-related actions.

9. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

10. All wall air-conditioning units shall be screened from public view.

CHARLES DRONSSIELD, 220 Mellenham , appeared to represent William Magert, 4995 Roberta Lane and Bible Way Fellowship Church, 4900 Bevvie Drive, in protest. Their main concern is the wall being constructed at 15 feet. It is right across the street from eight residents on Roberta Lane. In the past year Roberta Lane has been cut off. There are two streets coming in to go out to Madre Mesa and Apricot, which have been vacated. Therefore, it makes Roberta Lane a dead-end street. That could cause people to dump old junk cars, old furniture, and encourage drug activities. If this is passed, the residents would like to have landscaping along Roberta Lane against the 15 foot high block wall with mature plants and maintained weekly.

HILLEVI DAVIS appeared in protest. She is currently employed by the City of Las Vegas in the Planning and Development Department, but appeared on behalf of her parents, who reside at 5005 Roberta Lane. This is not the plan that was approved at the County Commission. There was no access onto Roberta Lane, which is a dead-end street. The site plan indicates it is a sliding gate. If secondary access, ingress and egress, is necessary, she would propose that it be through the apartment complex proposed on the north. Her parents would prefer to see 24 inch box Mondale pines 20 feet on center with appropriate ground cover and shrubs instead of palm trees. Full street improvements from Decatur to the end of this project were imposed when this was approved in the County. She would like to have the current half-street improvement condition amended to require full street improvements.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. TURNER said they do not object to entering into an agreement with the adjacent property owner to the west for a block wall. The applicant is the property owner on the north. They would be willing to put in the Mondale pine trees as requested. There is no access onto Roberta Lane; it is a crash gate. The access is on Decatur Boulevard. The only change to this plan from the past is that the two-story building in the middle is now one story. There are a couple of breakups in the buildings for drainage, which was a requirement of the flood study. The wall size is 9 feet 6 inches, not 15 feet.

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11. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

13. All exterior lighting shall meet the standards of LVMC section 19A.08.060(C).

Public Works

14. Construct half-street improvements on Roberta Lane adjacent to this site concurrent with development of this site.

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout, and possible relocation or restricted access for the proposed eastern most driveway onto Madre Mesa Drive prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways and gated entries shall be designed, located and constructed in accordance with Standard Drawing #222a.

COMMISSIONER McSWAIN asked if the requested setback has any bearing on the landscape planter. MR. TURNER explained it has a bearing on perimeter landscaping, but not along Roberta Lane.

COMMISSIONER TRUESDELL asked if the full-street improvements were required in the County. MR. TURNER said the County was going to require half-street improvements.

NOTE: See Item No. B-4 for related discussion.

To be heard by the City Council on January 16, 2002.

(8:22 - 8:38) 3 - 161

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**ABEYANCE - Z-0051-01(1), Z-0013-00(1) and
ZC-567-95(1) - WILDER FAMILY TRUST, ET
AL**

APPROVED

16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall address the proposed circulation of traffic through the parking structure and shall address potential gated security areas, if proposed. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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ABEYANCE - Z-0051-01(1), Z-0013-00(1) and ZC-567-95(1) - WILDER FAMILY TRUST, ET AL

APPROVED

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-51-01 (on this same agenda) and all other subsequent site-related actions.

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ITEM

ACTION

B-7.

**ABEYANCE - Z-0016-98(19) -
CHARLESTON AUTO PARTS PROFIT
SHARING TRUST ON BEHALF OF WILLIAM
LYON HOMES**

Request for a Review of Condition for several conditions of an approved Rezoning (Z-0016-98) on properties adjacent to the southwest corner of Iron Mountain Road and Decatur Boulevard (APN: 125-12-101-005, 125-12-301-001, 125-12-401-001 & 002, 125-12-502-001 & 125-12-601-001), Ward 6 (Mack).

**STAFF RECOMMENDATION: STAFF
RECOMMENDED THIS ITEM BE STRICKEN
FROM THE AGENDA.**

**Truesdell -
STRICKEN
Unanimous
(Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated that at the December 19, 2001 City Council meeting a new site plan review was approved for this site and the conditions of Z-0016-98 no longer apply to the subject site. Staff recommended this application be stricken.

TERRY CONNELLY, William Lyon Homes, 500 Pilot Road, Suite G, said he concurred with having this item stricken from the agenda.

CHAIRMAN GALATI announced there would be public comment under Item No. B-8 as it is the same site.

This is final action.

(6:10 - 6:11) 1 - 230

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ITEM

ACTION

B-8.

**Z-0016-98(20) - CHARLESTON AUTO PARTS
PROFIT SHARING TRUST ON BEHALF OF
WILLIAM LYON HOMES**

Request for a Major Modification to the Iron Mountain Ranch Master Development Plan Development Standards to allow a gated residential subdivision adjacent to the northeast corner of Grand Teton Drive and Jones Boulevard (APN: 125-12-401-001), Ward 6 (Mack).

NOTICES MAILED 83

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL of the following requested changes:

1. Delete reference to equestrian facility in section 4.4.2 and Section 7.7 and replace with the requirement that any park facility proposed shall require a Site Development Plan to be heard at a public hearing.
2. Delete Sections 8.6 and 8.7 in their entirety.
3. Delete Section 4.4.5, Section 6.2.1, Section 6.2.3, Section 7.1, Section 7.6.4 for the development approved under Z-0025-01 and Z-0025-01(1) only.
4. Delete reference to the Master Developer in Sections 7.9.4 and 7.9.5. However, the review should be by Planning Staff only.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this request is to amend various sections of the Iron Mountain Ranch Development Standards. Staff has reviewed this request in terms of waiver requests for this subdivision and determined that approval of this request would not affect other developments in the planning area. The Site Plan Review was approved by the City Council at the December 19, 2001 meeting. This is a cleanup of the standards to reflect that approval. Staff recommended approval, subject to the conditions.

TERRY CONNELLY, William Lyon Homes, 500 Pilot Road, Suite G, said this is just an administrative cleanup for their site plan. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: COMMISSIONER BUCKLEY said he has been abstaining on KB Homes applications since they are a client of his law firm and have a big involvement, but this application does not seem to affect the rest of Iron Mountain Ranch.

To be heard by the City Council on January 16, 2002.

(8:38 - 8:40) 3 - 696

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ITEM

ACTION

B-9.

ABEYANCE - RENOTIFICATION - VAC-0039-01 - VEGA FAMILY TRUST

Petition to vacate U.S. Government Patent reservation generally located south of Gowan Road, 1,330 feet east of Durango Drive, Ward 4 (Brown).

NOTICES MAILED 8

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.

2. Development of this site shall comply with all applicable conditions of approval for the Pine Cove Subdivision (aka Vega Estates II Subdivision).

3. All development shall be in conformance with code requirements and design standards of all City departments.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Goynes and Quinn excused)

LAURA MARTIN, Planning and Development, stated this Government Patent Reservation is no longer needed for this site. This Vacation will allow for the reservation to be included into the proposed single-family subdivision. Staff recommended approval, subject to the conditions.

JOHNNY VEGA, Vega Family Trust, 4817 West Gilmore Avenue, appeared to represent the application and concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on February 6, 2002.

(8:40 - 8:42) 3 - 780

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

**ABEYANCE - RENOTIFICATION - VAC-
0039-01 - VEGA FAMILY TRUST**

APPROVED

4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #1 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

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ITEM

ACTION

B-10.

ABEYANCE - RENOTIFICATION - VAC-0042-01 - BOYS & GIRLS CLUBS OF CLARK COUNTY, INCORPORATED

Petition to vacate a public alleyway generally located east of Twenty-Eighth Street, south of Marlin Avenue, Ward 3 Reese).

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. All development shall be in conformance with code requirements and design standards of all City departments.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Goynes and Quinn excused)

LAURA MARTIN, Planning and Development, stated the applicant's justification letter indicates the Vacation of the alleyway will allow a canopy to be built over the basketball court for the Boys & Girls Club. On December 7, 2001 the applicant submitted revised plans indicating that 11 feet of the alley will be vacated, leaving 11.5 feet of the alley to serve as access for emergency vehicles. This Vacation will not eliminate public street access to either abutting parcels. Staff recommended approval, subject to the conditions.

JONATHAN YOUNG, 7373 Peak Drive, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on February 6, 2002.

(8:42 - 8:43) 3 - 830

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ITEM

ACTION

**ABEYANCE - RENOTIFICATION - VAC-
0042-01 - BOYS & GIRLS CLUBS OF CLARK
COUNTY, INCORPORATED**

APPROVED

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #1 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

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ACTION

B-11.

ABEYANCE - RENOTIFICATION - VAC-0043-01 - GARY A BOBBS ON BEHALF OF CHARTERED DEVELOPMENT

Petition to vacate a U.S. Government Patent Reservation generally located north of Alexander Road, approximately 330 feet west of the Marla Street alignment, Ward 4 (Brown).

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. This Vacation Application shall be revised to reserve a 20-foot wide public sewer easement along the east edge of the parcel unless an alternative public sewer plan is proposed to and approved by the Department of Public Works.

2. All improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.

3. Development of these sites shall comply with all applicable conditions of approval for Rezoning (Z-0056-01), Site Development Plan Review [Z-0056-01(1)] and all other site-related actions.

4. All development shall be in conformance with code requirements and design standards of all City departments.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Goynes and Quinn excused)

LAURA MARTIN, Planning and Development, stated this Government Patent Reservation is no longer needed for this site. This Vacation will allow for the Patent Reservation to be incorporated into the proposed apartment development on the site. Staff recommended approval, subject to the conditions.

TIM DOBINS, Civil Tech, Inc., 401 North Buffalo Road, Suite #100, appeared to represent the applicant and concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on February 6, 2002.

(8:43 - 8:44) 3 - 870

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ITEM

ACTION

**ABEYANCE - RENOTIFICATION - VAC-
0043-01 - GARY A BOBBS ON BEHALF OF
CHARTERED DEVELOPMENT**

APPROVED

5. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #2 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

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ITEM

ACTION

B-12.

Z-0084-01 - ROBERT S. FOSTER AND HEIDI A. JOHNSON

Request for a Rezoning FROM: R-1 (Single Family Residential) Zone TO: P-R (Professional Office and Parking) Zone on 0.18 acre at 152 North Lamb Boulevard (APN: 140-32-310-008), Ward 3 (Reese).

NOTICES MAILED 278 [Mailed with Z-0084-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Goynes and Quinn excused)

LAURA MARTIN, Planning and Development, stated the applicant's justification letter states the rezoning will be consistent with the surrounding properties on Lamb Boulevard and will not burden the surrounding properties or services. This rezoning will be consistent with the General Plan designation of Office. It will also be consistent with the planned future use of the site and will meet an anticipated need for P-R (Professional Office and Parking) zoning along this portion of Lamb Boulevard. Staff recommended approval, subject to the conditions.

RICH HECKENDORF, 657 Glenwood Lane, Henderson, Nevada, appeared to represent the applicants. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-13 for related discussion.

To be heard by the City Council on February 6, 2002.

(8:44 - 8:50) 3 - 920

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

**Z-0084-01 - ROBERT S. FOSTER AND HEIDI
A. JOHNSON**

APPROVED

4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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ITEM

ACTION

B-13.

Z-0084-01(1) - ROBERT S. FOSTER AND HEIDI A. JOHNSON

Request for a Site Development Plan Review and a Reduction in the Perimeter Landscape Requirements for a PROPOSED 1,696 SQUARE FOOT OFFICE CONVERSION on 0.18 acre at 152 North Lamb Boulevard (APN: 140-32-310-008), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese).

NOTICES MAILED 278 (Mailed with Z-0084-01)

APPROVALS 0

PROTESTS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a Rezoning (Z-0084-01) to a P-R (Professional Office and Parking) Zoning District.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. Revise the site plan, prior to the issuance of any building permit for this site, to reconfigure the parking area to provide the handicap van accessible space and one regular parking space perpendicular to the north property line. Provide one 24-foot wide driveway.

Truesdell -

APPROVED, SUBJECT TO STAFF'S AMENDED CONDITIONS AND APPLICANT AND STAFF TO REVISE SITE CIRCULATION AND PARKING CONFIGURATION PRIOR TO CITY COUNCIL MEETING.

**Unanimous
(Goynes and Quinn excused)**

LAURA MARTIN, Planning and Development, stated the applicant plans to convert the existing single-family residence to an office. The single story structure is approximately 1,696 square feet with 1,200 square feet to be utilized for the office use. The parking layout does not provide the required van accessible parking space. There is a condition to reconfigure the parking area to provide the handicapped van accessible space and one regular parking space perpendicular to the north property line. The reconfiguration, as well as the two parking spaces located in the garage, will meet the minimum requirement of four parking spaces. The site plan should be revised to provide one 24-foot wide driveway instead of two 16-foot wide driveways. The partial reduction in the perimeter landscaping will be appropriate and providing eight-foot wide landscape planters along the north and south property lines is feasible, as well as providing 10-foot wide landscape planters along Lamb Boulevard on each side of the drive aisle. Staff recommended approval, subject to the conditions.

RICH HECKENDORF, 657 Glenwood Lane, Henderson, Nevada, appeared to represent the applicants. He objected to a single 24 foot wide driveway because there could be a situation where there are people backing out into Lamb Boulevard. They would prefer two 16-foot wide driveways and a curved driveway, which would allow vehicles to pull out head-on into the traffic rather than backing into it. Secondly, a street light was installed as part of the off-site improvements when Lamb Boulevard was improved a number of years ago and if there were a 24 foot wide driveway the streetlight would have to be moved.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, felt this would result in a similar situation along Jones Boulevard, which did not turn out well.

CHAIRMAN GALATI commented that there was a General Plan Amendment approved for this stretch of Lamb Boulevard over a year ago. He declared the Public Hearing closed.

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ITEM

ACTION

**Z-0084-01(1) - ROBERT S. FOSTER AND
HEIDI A. JOHNSON**

4. Revise the landscape plan, prior to the issuance of any building permit for this site, to provide eight-foot wide landscape planters along the north and south property lines, where feasible, and provide minimum ten foot wide landscape planters along Lamb Boulevard on each side of the drive aisle; all 24-inch box trees shall be spaced twenty feet on center. Provide additional landscaping and/or paving between the proposed office and the handicap van accessible space. All other landscape requirements shall meet the minimum standards of the Las Vegas Urban Design Standards and Guidelines.

5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

NOTE: See Item No. B-12 for related discussion.

To be heard by the City Council on February 6, 2002.

(8:44 - 8:50) 3 - 920

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ITEM

ACTION

**Z-0084-01(1) - ROBERT S. FOSTER AND
HEIDI A. JOHNSON**

APPROVED

11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.

13. Site development to comply with all previous conditions of approval for Zoning Reclassification Z-84-01 (on this same agenda).

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-14.

Z-0085-01 - PERMA-BILT HOMES ON BEHALF OF PARDEE CONSTRUCTION COMPANY

Request for a Rezoning FROM: U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development - 5 Units per Acre) on 5.0 acres generally located on the north side of Severence Lane approximately 330 feet west of Tee Pee Lane (APN: 125-18-701-007 & 008), PROPOSED: 24-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION, Ward 6 (Mack).

NOTICES MAILED 38 (Mailed with Z-0085-01(1) and V-0088-01)

APPROVALS 1 (Speaker)

PROTESTS 0

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to approval of a Tentative Map, issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Submit a Petition of Vacation for the portion of Via Provenza Avenue and the unnamed north-south street on the west edge of this site. The Order of Vacation shall record prior to the issuance of any building permits, or the recordation of a Final Map, overlying the area to be vacated.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND CONDITION NO. 4 CONTAIN THE ADDITIONAL LANGUAGE AS REQUESTED BY THE APPLICANT.

Motion carried with Buckley abstaining as Pardee Construction Company is a client of his law firm. (Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this is a request for a 24 lot single-family residential subdivision at 5.49 dwelling units per acre, which is allowed in a Low Density Residential General Plan designation. Staff recommended approval, subject to the conditions.

APRIL McGRIFF, Bossard Developer Services, 2920 North Green Valley Parkway, Suite #814, Henderson, Nevada, appeared on behalf of Pardee Construction Company. This is a continuation of a project that was recently approved. In regard to Condition No. 4, she requested additional wording be added to the following sentence: Dedicate appropriate right-of-way for a "knuckle" corner where Via Provenza Avenue turns south onto the unnamed north/south street unless the developer can provide proof that the north/south street will continue north of the Via Provenza intersection **or Via Provenza will continue to the west.** DAPHNEE LEGARZA, Public Works, did not have any objection to the additional wording in Condition No. 4.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, asked if there will be a paved street to access this property which will hold down the dust. DAPHNEE LEGARZA responded that there is a condition to provide a minimum of two lanes of public access to this site.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-15, B-16 and B-33 for related discussion.

To be heard by the City Council on February 6, 2002.

(9:00 - 9:08) 3 - 1600

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ITEM

ACTION

**Z-0085-01 - PERMA-BILT HOMES ON
BEHALF OF PARDEE CONSTRUCTION
COMPANY**

APPROVED

4. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Severance Lane adjacent to this site. Dedicate appropriate right-of-way for a “knuckle” corner where Via Provenza Avenue turns south onto the unnamed north/south street unless the developer can provide proof that the north/south street will continue north of the Via Provenza intersection. Also, provide proof of existing right-of-way or easement rights for the north half of Via Provenza Avenue prior to or concurrent with approval of a Tentative Map for this site.

5. Construct half-street improvements including appropriate overpaving (if legally able) on Severance Lane and Via Provenza Avenue adjacent to this site concurrent with development of this site.

6. Provide a minimum of two lanes of paved, legal access to this site along a logical route concurrent with development of this site.

7. If not already constructed at the time of development of this site, extend public sewer in El Capitan Way to Severance Lane, and in Severance Lane to the western edge of this development to a location acceptable to the City Engineer. Coordinate with the Collection Systems Planning Section regarding oversizing the required public sewer lines.

8. The Traffic Impact Analysis required for the adjacent subdivision (of which this site is proposed to be a part) shall be revised to include this site. Comply with the recommendations of the approved Traffic Impact Analysis.

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ITEM

ACTION

**Z-0085-01 - PERMA-BILT HOMES ON
BEHALF OF PARDEE CONSTRUCTION
COMPANY**

APPROVED

9. An amendment to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings, issuance of any permits, or the recordation of a Final Map for this subdivision site, whichever may occur first.

10. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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ITEM

ACTION

B-15.

**V-0088-01 - PERMA BILT HOMES ON
BEHALF OF PARDEE CONSTRUCTION
COMPANY**

Request for a Variance TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 17,424 SQUARE FEET IS THE MINIMUM REQUIRED on 5.0 acres generally located adjacent to the north side of Severence Lane approximately 330 feet west of Tee Pee Lane (APN: 125-18-701-007 & 008), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 6 (Mack).

NOTICES MAILED 38 [Mailed with Z-0085-01 and Z-0085-01(1)]

APPROVALS 0

PROTESTS 0

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of approval for Rezoning (Z-0085-01) and Site Development Plan Review [Z-0085-01(1)].

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. The applicant shall contribute an "in lieu of" fee in the amount of \$2,750 dollars per gross acre, to offset the open space reduction, to the City of Las Vegas.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Buckley abstaining as Pardee Construction Company is a client of his law firm.
(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this development is a continuation of a project that lies within Town Center and provides the open space under the Town Center Residential Development Standards in the form of amenity zones rather than common lots. Consistent street design standards will be applied to the entire development. Staff recommended approval, subject to the conditions.

APRIL McGRIFF, Bossard Development, appeared to represent Pardee Construction Company. She concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-14, B-16 and B-33 for related discussion.

To be heard by the City Council on February 6, 2002.

(9:00 - 9:08) 3 - 1600

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ITEM

ACTION

B-16.

Z-0085-01(1) - PERMA-BILT HOMES ON BEHALF OF PARDEE CONSTRUCTION COMPANY

Request for a Site Development Plan Review for a 24-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.0 acres generally located adjacent to the north side of Severence Lane approximately 330 feet west of Tee Pee Lane (APN: 125-18-701-007 & 008), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 6 (Mack).

NOTICES MAILED 38 (Mailed with Z-0085-01 and V-0088-01)

APPROVALS 0

PROTESTS 0

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve Rezoning (Z-0085-01) of the subject property to R-PD5 (Residential Planned Development – 5 Units per Acre), and shall approve a Variance (V-0088-01) to open space requirements for the site.

2. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

3. *No perimeter walls shall be allowed along any street that is 79 feet or less in width of street section, with the exception of corner lots.*

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley abstaining as Pardee Construction Company is a client of his law firm. (Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this development will be composed of a 27-lot single family residential development with typical lot sizes of 6,500 square feet. Access to this site will be via a non-gated entry on a local street continuing from the adjacent Town Center development. The 39 foot public streets and four foot amenity zones will be in compliance with the Town Center residential development standards. This proposal requires the approval of a Variance for open space as required under the R-PD standards. Staff recommended approval, subject to the conditions.

APRIL McGRIFF, Bossard Development, 2920 North Green Valley Parkway, Suite #814, Henderson, Nevada, appeared to represent Pardee Construction Company.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-14, B-15 and B-33 for related discussion.

To be heard by the City Council on February 6, 2002.

(9:00 - 9:08) 3 - 1600

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ITEM

ACTION

**Z-0085-01(1) - PERMA-BILT HOMES ON
BEHALF OF PARDEE CONSTRUCTION
COMPANY**

APPROVED

4. The setbacks for this development shall be a minimum of 18 feet to the face of the garage as measured from the back of sidewalk, 10 feet to side-loaded garages and/or the front of the house, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.

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ITEM

ACTION

**Z-0085-01(1) - PERMA-BILT HOMES ON
BEHALF OF PARDEE CONSTRUCTION
COMPANY**

APPROVED

5. The site plan and landscape plan shall depict compliance with the Site Plan as submitted, including a 39-foot right-of way, and a 4-foot amenity zone and four-foot wide sidewalk on each side. The landscape plan shall also depict any required accent paving.

6. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

7. Air conditioning units shall not be mounted on rooftops.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

10. All City Code requirements and design standards of all City departments must be satisfied

Public Works

11. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

12. Site development to comply with the Town Center Development Standards, all applicable conditions of approval for Z-85-01 (on this same agenda) and all other subsequent site-related actions.

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ITEM

ACTION

B-17.

Z-0086-01 - PARDEE CONSTRUCTION COMPANY

Request for Rezoning FROM: U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] TO: TC (Town Center) on 20 acres adjacent to the southeast corner of Dorrell Street and Tee Pee Lane (APN: 125-19-601-005, 006, & 015), PROPOSED: 116-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION, Ward 6 (Mack).

NOTICES MAILED 54

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to approval of a Tentative Map, issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Submit a Petition of Vacation for the portions of Haley Avenue to be incorporated into this site and the portion of east half of Chieftain Street at the south end of this site. Such Vacation applications shall be approved by the City Council and Clark County Commission prior to the submittal of a Final Map technical review for this site. The Order of Vacations shall record prior to the recordation of a Final Map overlying the areas to be vacated.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND ADDITIONAL LANGUAGE TO CONDITION NO. 3 AS REQUESTED BY THE APPLICANT.

Motion carried with Buckley abstaining as Pardee Construction Company is a client of his law firm. (Goynes and Quinn excused)

LAURA MARTIN, Planning and Development, stated this requested Town Center zoning designation will be appropriate for the subject properties consistent with the zoning of the larger Town Center Master Plan area to the east. Staff recommended approval, subject to the conditions.

APRIL McGRIFF, Bossard Developer Services, 2920 North Green Valley Parkway, Suite #814, Henderson, Nevada, appeared to represent Pardee Construction Company. This is a Town Center assemblage piece. In regard to Condition No. 3, she requested additional language be added to the second sentence as follows: Such Vacation applications shall be approved by the City Council and Clark County Commission, **as appropriate**, prior to the submittal of a Final Map technical review for this site. DAPHNEE LEGARZA, Public Works, had no objection to that additional language.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on February 6, 2002.

(9:08 - 9:11) 3 - 1980

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ITEM

ACTION

Z-0086-01 - PARDEE CONSTRUCTION COMPANY

APPROVED

4. Dedicate 40 feet of right-of-way adjacent to this site for Dorrell Lane, 40 feet for Deer Springs Way, 40 feet for Tee Pee Lane where no right-of-way exists and 10 foot of additional right-of-way for Tee Pee Lane where 30 feet already exist for a total half-street width of 40 feet, and all appropriate radius corners prior to the issuance of any permits.

5. Construct half-street improvements including appropriate overpaving (if legally able) on Dorrell Street, Deer Springs Road and Tee Pee Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

6. Provide a minimum of two lanes of paved, legal access to this site along a logical route concurrent with development of this site.

7. If not already constructed, extend public sewer in El Capitan Way to Deer Springs Way, in Deer Springs Way to the western edge of this development and provide a public sewer stub at the northeast corner of this site to locations and depths acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

8. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed street layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

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ITEM

ACTION

Z-0086-01 - PARDEE CONSTRUCTION COMPANY

APPROVED

9. A Traffic Impact Analysis must be submitted to and approved prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for any site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

Z-0086-01 - PARDEE CONSTRUCTION COMPANY

APPROVED

10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

11. Provide pedestrian walkway easements for all public sidewalks located outside of the public right-of-way concurrent with development of this site.

12. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-18.

Z-0088-01 - KB HOME NEVADA, INCORPORATED

Request for a Rezoning FROM: R-E (Residence Estates) Zone under Resolution of Intent to RPD-2 (Residential Planned Development - 2 Units Per Acre) and R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units Per Acre) on 40.4 acres adjacent to the southeast corner of Jones Boulevard and Horse Drive (APN: 125-12-301-001), PROPOSED: 66-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION, Ward 6 (Mack).

NOTICES MAILED 58 [Mailed with Z-0088-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The overall density is limited to a maximum of 2.00 dwelling units per acre.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Jones Boulevard, 40 feet for Horse Drive and a 25-foot radius on the southeast corner of Jones Boulevard and Horse Drive. In addition, grant a Traffic Signal Chord easement on the southeast corner of Jones Boulevard and Horse Drive.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley and McSwain abstaining as KB Home Nevada, Inc., is a client of their firms. (Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this rezoning request to R-PD2 will be appropriate and compatible with existing surrounding land uses and future uses as proposed by the General Plan. These parcels will be incorporated into a larger Iron Mountain Ranch development that has been previously approved by the Planning Commission and City Council. Staff recommended approval, subject to the conditions.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent KB Home Nevada, Inc. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-19 for related discussion.

To be heard by the City Council on February 6, 2002.

(9:11 - 9:14) 3 - 2100

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ITEM

ACTION

Z-0088-01 - KB HOME NEVADA, INCORPORATED

APPROVED

5. Construct half-street improvements including appropriate overpaving (if legally able) on Horse Drive and Jones Boulevard adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

7. Meet with the Traffic Engineering Division of the Department of Public Works to determine additional right-of-way requirements, if any, adjacent to this site in accordance with Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes. All such right-of-way shall be dedicated on the Final Map(s) for this site unless specifically noted as not required by the Traffic Engineer.

8. An amendment to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings, issuance of any permits, or the recordation of a Final Map for this subdivision site, whichever may occur first.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

Z-0088-01 - KB HOME NEVADA, INCORPORATED

APPROVED

9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

10. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

11. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-19.

Z-0088-01(1) - KB HOME NEVADA, INCORPORATED

Request for a Site Development Plan Review for a PROPOSED 66 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 40.4 acres adjacent to the southeast corner of Jones Boulevard and Horse Drive (APN: 125-12-301-001), R-E (Residence Estates) Zone under Resolution of Intent to RPD-2 (Residential Planned Development – 2 Units Per Acre) and R-E (Residence Estates), PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 6 (Mack).

NOTICES MAILED 58 (Mailed with Z-0088-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of a Rezoning (Z-0088-01) to R-PD2 (Residential Planned Development – 2 Units Per Acre).

2. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

3. The setbacks for this development shall be a minimum of 25 feet to front-loaded garages, 20-feet to side-loaded garages, 20 feet side (aggregate), 15 feet on the corner side, and 35 feet in the rear, 30 feet in the rear if the lot is on a knuckle or cul-de-sac.

4. The Iron Mountain Ranch theme wall shall be constructed in conjunction with development.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NOS. 4 AND 9 DELETED AND CONDITION NO. 3 AMENDED TO INCLUDE *OR LIVING AREAS* AFTER THE 20-FEET TO SIDE-LOADED GARAGES.

Motion carried with Buckley and McSwain abstaining as KB Home Nevada, Inc., is a client of their firms. (Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this site plan for 67 single-family lots presents an effective layout of lots and internal streets. A minor modification to add approximately ten acres to the Iron Mountain Master Development Plan was approved prior to the approval of this site plan. In addition, Section 4.4.3 of the Iron Mountain Ranch Development Standards indicates that only parcels with lots less than 10,000 square feet are required to provide interior open space. A minimum lot size of this development pod is 20,000 square feet, thus, no open space is required.

Staff received a revised site plan from the applicant yesterday that eliminates the connection points to the gated community to the south. Therefore, Condition Nos. 4 and 9 can be deleted.

In addition, Condition No. 3 should be amended as follows: The setbacks for this development shall be a minimum of 25 feet to front-loaded garages, 20-feet to side-loaded garages ***or living areas***, 20 feet side (aggregate), 15 feet on the corner side, and 35 feet in the rear, 30 feet in the rear if the lot is on a knuckle or cul-de-sac.

Staff recommended approval, subject to the conditions.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent KB Home Nevada, Inc. He concurred with staff's amended conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-18 for related discussion.

To be heard by the City Council on February 6, 2002.

(9:11 - 9:14) 3 - 2100

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

Z-0088-01(1) - KB HOME NEVADA, INCORPORATED

APPROVED

5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

6. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

7. This site plan shall be revised to eliminate the connecting access to the adjacent property to the south.

8. An Access Analysis Letter must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site permits, or the approval of a Final Map, whichever may occur first, to determine the adequacy of the single active access drive proposed. Comply with the recommendations of the approved Access Analysis Letter prior to occupancy of this site. Phased compliance will be allowed if recommended by the approved Access Analysis Letter. No recommendation of the approved Access Analysis Letter, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Gated access drives, if proposed shall be designed, located and constructed in accordance with Standard Drawing #222a.

9. Site development to comply with all previous conditions of approval for Zoning Reclassification Z-88-01 (on this same agenda) and all other subsequent site-related actions.

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ITEM

ACTION

B-20.

V-0085-01 - JON AND MICHELLE SHAFFNER

Request for a Variance TO ALLOW A ONE FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS THE MINIMUM CORNER SIDE YARD SETBACK REQUIRED AND TO ALLOW A ONE FOOT SEPARATION FROM THE MAIN DWELLING WHERE SIX FEET IS THE MINIMUM SEPARATION REQUIRED FOR AN EXISTING SPORT COURT (BATTING CAGE) on 0.22 acre at 5721 Crystal Lilly Court (APN: 125-27-714-024), R-1 (Single Family Residential) Zone, Ward 6 (Mack).

NOTICES MAILED 479

APPROVALS 1 (Letter)

PROTESTS 2

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. No outdoor lighting of the existing batting cage shall be permitted.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this application is for an existing batting cage, which requires a reduction in the corner side setback from 15 feet to one foot and a reduction in the required building separation from six feet to one foot. Staff could not determine any hardships for this request so they recommended denial.

MICHELLE SHAFFNER, 5721 Crystal Lilly Court, appeared and submitted a letter in approval from her neighbor. When they initially wanted to install this sport court she called the City and asked what kind of permits are required and was told there were no permits required as long as it did not block any views. They started building and then Code Enforcement said they had to stop building until they got a permit. She went to the City and was told she did not need a permit as long as this would not obstruct any views. At that time she contacted Code Enforcement and continued construction of the batting cage. Approximately three weeks later Code Enforcement called her again and said they have received a complaint. She went back to the City and was told there should be a 15-foot setback. At the Planning hearing she was told only a 5 foot setback was required. This is a financial hardship because she was given incorrect information. She showed pictures of the batting cage. This keeps her son and his friends occupied.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER EVANS wondered if this could be screened with landscaping. MRS. SHAFFNER felt the trees will cover it once they mature.

To be heard by the City Council on February 6, 2002.

(8:50 - 9:00) 3 - 1180

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

B-21.

V-0087-01 - CHARLES AND PAMELA KIRK

Request for a Variance TO ALLOW AN UNPAVED PARKING LOT WHERE A PAVED PARKING LOT IS REQUIRED in conjunction with a proposed office conversion at 1850 Willow Trail (APN: 139-19-704-002), C-2 (General Commercial) Zone, Ward 5 (Weekly).

ON DECEMBER 7, 2001 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN.

Truesdell -
WITHDRAWN WITHOUT PREJUDICE
Unanimous
(Quinn excused)

JOEL McCULLOCH, Planning and Development, stated the applicant has requested this item be withdrawn from the agenda.

CHARLES KIRK, 7505 Wittig Avenue, appeared and requested this item be withdrawn without prejudice.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

This is final action.

(6:11 - 6:12) 1 - 260

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ITEM

ACTION

B-22.

SD-0075-01 - CHARLES AND PAMELA KIRK

Request for a Site Development Plan Review and a Reduction in the Perimeter Landscape Requirements for a PROPOSED 1,094 SQUARE FOOT OFFICE CONVERSION on 0.22 acre at 1850 Willow Trail (APN: 139-19-704-002), C-2 (General Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 60 (Mailed with V-0087-01)

APPROVALS 0

PROTESTS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Revise the site plan to reconfigure the parking area to provide the handicap van accessible space (to comply with the Title 19 handicap parking space and access aisle requirements) perpendicular to the south property line and the regular parking spaces located north of the detached garage. The applicant shall work with Planning and Development and Traffic Engineering staff for the final layout design of the site.

2. Revise the landscape plan to provide minimum eight-foot wide landscape planters along the north, south and west and northeast property lines, where feasible, with 24-inch box trees spaced twenty feet on center. All other landscape requirements shall meet the minimum standards of the Las Vegas Urban Design Standards and Guidelines.

3. Remove or relocate the existing shed to meet Title 19 minimum requirements for accessory structures (Section 19A.08.050).

Evans -

ABEYANCE TO THE JANUARY 24, 2002 PLANNING COMMISSION MEETING (Applicant to work with staff on related site issues).

**Unanimous
(Goynes and Quinn excused)**

LAURA MARTIN, Planning and Development, stated the applicant would like to convert a single-family residence into an office. It is approximately 1,094 square feet. The floor plan indicates an office, a dispatch office, file storage and supply room, an extra room and a kitchen. This site plan does not provide an effectual parking layout for the irregularly-shaped parcel. There is a condition to reconfigure the parking to provide handicap van accessible space perpendicular to the south property line and the regular parking spaces located north of the detached garage.

A partial reduction in the perimeter landscaping is appropriate with the incorporation of the recommended conditions to revise the landscape plan. Staff recommended a minimum of eight foot wide landscape planters along the north, south, west and northeast property lines where feasible with 24 inch box trees. The applicant should work with staff on the final layout of the design of the site.

Staff recommended approval, subject to the conditions.

PAMELA KIRK, 7505 Wittig Avenue, said they would like to have Condition No. 4 amended. Currently there is a block wall surrounding the property. There is a small section of retaining wall from the front of the house to the back where the gate will be the entrance on Spring Road. They may raise that to five feet. On the other side the wall is currently five feet high.

CHARLES KIRK, 7507 Wittig Avenue, said on the side of the house to the south half of that yard would be landscape, but from the handicapped parking back to the garage is already in concrete and they don't want to have the expense of taking out the concrete to provide an eight foot high landscape buffer which would intrude into the entrance to the garage. In addition, they did not want to plant any trees between the garage and block wall because there is only a two foot six inch clearance. In the back of the garage is only six feet. There are no residences behind there. On the north side is existing concrete and they don't want to cut it. Parking is on solid concrete in another area.

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SD-0075-01 - CHARLES AND PAMELA KIRK

4. If a block wall is to be constructed, it shall be a maximum six-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. Chain-link fencing is prohibited.

5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

6. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. These conversions cannot afford to tear out the concrete so there are compromises and the result is a mess.

CHAIRMAN GALATI declared the Public Hearing closed. He felt there needs to be some landscaping on this site. He thought the applicant should work further with staff. CHRIS GLORE, Planning and Development, felt the applicant has made a valid point in regard to the landscape planters around the two walls of the garage. Staff will not agree to keep all the concrete. There would be enough room for parking, etc.

COMMISSIONER EVANS felt the landscape plan needs to meet the Urban Design Standards. This is a fragile area. He would not support this request until there is a partial removal of the concrete or some other alternative.

COMMISSIONER TRUESDELL thought the applicant could cut some tree wells.

CHAIRMAN GALATI suggested holding this item in abeyance to have the request more refined.

PAMELA KIRK said their intent is to keep this property as residential as possible.

To be heard by the Planning Commission on January 24, 2002.

(9:14 - 9:26) 3 - 2320

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SD-0075-01 - CHARLES AND PAMELA KIRK

ABEYANCE TO JANUARY 24, 2002

12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Dedicate 5 feet of right-of-way adjacent to this site for Willow Trail and a 15-foot radius at the southeast corner of Willow Trail and Spring Road prior to the issuance of any permits. Coordinate with the Right-of-way Section of the Department of Public Works for assistance in preparing the appropriate documents.

14. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants and sewers) on Spring Road and Willow Trail adjacent to this site prior to the issuance of any permits.

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

16. If the entry gates proposed are to be electrically opened and closed, the gates may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to be manually opened and closed, the gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. The installation of either swing gates or rolling gates are acceptable

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SD-0075-01 - CHARLES AND PAMELA KIRK

ABEYANCE TO JANUARY 24, 2002

as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way. Also, the proposed gated access shall remain fully opened during normal hours of business.

17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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SD-0075-01 - CHARLES AND PAMELA KIRK

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

18. Submit an encroachment agreement for all private improvements located in the Willow Trail public right-of-way adjacent to this site.

ABEYANCE TO JANUARY 24, 2002

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ITEM

ACTION

B-23.

**U-0145-01 - DOYLE M. DILLARD ON
BEHALF OF ROBERT E. MURRAY**

Request for a Special Use Permit for a BAIL BOND SERVICE at 816 East Ogden Avenue (APN: 139-34-612-049), C-2 (General Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 84

APPROVALS 1 (Letter)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time is granted.

2. This use shall be reviewed in two years, at which time the City Council may require that this use be terminated.

3. All signs on this site shall be monument type, as defined in Title 19A of the City of Las Vegas Municipal Code.

4. Conformance to the Las Vegas Redevelopment Plan and the Downtown Urban Design Master Plan.

5. All City Code requirements and all City departments' design standards shall be met.

Public Works

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this bail bond business is an appropriate use within this area and a positive step in the redevelopment of the downtown area. Staff recommended approval, subject to the conditions.

THOMAS D. DILLARD, 1908 Poplar Avenue, appeared to represent his parents, Doyle and Mary Dillard. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on February 6, 2002.

(9:26 - 9:28) 4 - 320

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

**U-0145-01 - DOYLE M. DILLARD ON
BEHALF OF ROBERT E. MURRAY**

APPROVED

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout to service this site prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed per the intent of Standard Drawing #222a. Parking spaces located off the public alley, if any, shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.

8. Landscape and maintain all unimproved right-of-way on Ogden Avenue adjacent to this site.

9. Submit an Encroachment Agreement for all landscaping and private improvements located in the Ogden Avenue public right-of-way adjacent to this site prior to occupancy of this site.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-24.

**U-0146-01 - MONTECITO TOWN CENTER,
LIMITED LIABILITY COMPANY**

Request for a Special Use Permit TO ESTABLISH SIGN STANDARDS PRIOR TO THE APPROVAL OF A DEVELOPMENT AGREEMENT on 38.78 acres adjacent to the southwest corner of Riley Street and Deer Springs Way (APN: 125-20-701-001), TC (Town Center) Zone, Ward 6 (Mack).

STAFF RECOMMENDATION: STAFF HAS DETERMINED THIS APPLICATION IS NO LONGER NECESSARY.

**Truesdell -
STRICKEN
Unanimous
(Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item stricken from the agenda because during the review process it was determined the application is not necessary and was duplicating the Master Sign Plan request.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. He discussed this with staff and agreed that this has no bearing on the Development Agreement with the understanding that if the Master Sign Plan is approved they can do signage irrespective of what happens to the development agreement. Therefore, he concurred it should be stricken.

CHAIRMAN GALATI announced public comment would be taken under Item No. B-25 for this property.

This is final action.

(6:12 - 6:13) 1 - 300

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-25.

MSP-0013-01 - MONTECITO TOWN CENTER, LIMITED LIABILITY COMPANY

Request for a Master Sign Plan FOR MONTECITO TOWN CENTER on 38.78 acres adjacent to the southwest corner of Riley Street and Deer Springs Way (APN: 125-20-701-001), TC (Town Center) Zone, Ward 6 (Mack).

NOTICES MAILED 33 (Mailed with U-0146-01)

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This application shall be limited to nine monument signs.

2. This application shall be limited to three monument signs along Durango Drive, unless the applicant can furnish proof that there is a minimum of 1,200 lineal feet of street frontage along Durango Drive.

3. Address numbers shall be a minimum of 12 inches tall.

Public Works

4. All signage shall be situated as to not interfere with Sight Visibility Restriction Zones; final sign locations shall be approved by the Traffic Engineer.

Evans -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this Master Sign Plan meets the standards of the Town Center design guidelines, with the exception of along Durango Drive where staff has calculated to only having 1,160 lineal feet, which will allow only three of the proposed monument signs. Staff recommended approval, subject to the conditions.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. This Master Sign Plan conforms to the newly adopted Town Center standards.

CHAIRMAN GALATI declared the Public Hearing open.

MANUEL ARIAS, 2375 Fawn Heather Court, appeared in approval, but would like to see unique signage.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on February 6, 2002.

(7:59 - 8:02) 2 - 2390

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-26.

**U-0107-90(3) - JEANNE LEVY LIVING TRUST
ON BEHALF OF CLEAR CHANNEL
OUTDOOR**

Required One Year Review on an approved Special Use Permit which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign at 2921 West Sahara Avenue (APN: 162-08-501-001), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 154

APPROVALS 0

PROTESTS 1 (Speaker)

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

**Buckley -
DENIED (Area has changed substantially).
Unanimous
(Goynes and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated this billboard is located approximately 70 feet from existing residential properties where 300 feet is the separation required by Title 19A. Because of the billboards close proximity to residential development and the typical association of billboard signs with declining and industrial areas, staff recommended denial.

R. VAN NOSTRAND, Clear Channel Outdoor, said last year this request was approved. He asked for clarification of Condition No. 3.

JOHN KOSWAN, Planning and Development, explained that the typical design of billboards in Las Vegas consists of one large L-shaped pie upon which the billboards rest. Staff would like to improve the overall appearance of billboards as they relate to the context of their environment. In this case, the condition suggests that the large pipe that is the supporting structure be modified or have a cover added to it that would include materials to match or are similar to the existing structures on the site in order to provide a more pleasing visual experience in its relationship to the buildings.

R. VAN NOSTRAND commented that since this is only a one year approval, to redesign the billboard would be unfair. Adding any other materials may cause a problem since they could add too much weight and also the wind load would have to be considered.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. There has been an attempt to clean up billboards for a long time. Either the sign companies make the billboards come into compliance or remove them.

CHAIRMAN GALATI declared the Public Hearing closed.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

**U-0107-90(3) - JEANNE LEVY LIVING TRUST
ON BEHALF OF CLEAR CHANNEL
OUTDOOR**

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign and its supporting structure shall be redesigned to match the existing buildings on site.

COMMISSIONER McSWAIN felt the goal is to remove some of these billboards that do not meet the standards.

R. VAN NOSTRAND commented that one of the reasons to recommend denial is that the area has changed. However, there has not been any substantial change. It was approved previously even though it was only 70 feet from the residences.

COMMISSIONER BUCKLEY thought the area has changed in that there have been new office buildings along Richfield, in back of The Plazas it is filled in, and all the restaurants are new.

This is final action.

(9:28 - 9:35) 4 - 350

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-27.

**U-0067-96(1) - POLLO REALTY, LIMITED
LIABILITY COMPANY ON BEHALF OF
STORAGE ONE**

Required Five Year Review on an approved Special Use Permit which allowed a 16 foot x 30 foot off-premise advertising sign at 7380 West Cheyenne Avenue (APN: 138-10-403-020), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

NOTICES MAILED 39

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH ADDITIONAL CONDITION THAT THE BILLBOARD IS ONLY TO ADVERTISE BUSINESS ON THIS PROPERTY OR STORAGE ONE.

**Unanimous
(Goynes and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated this sign advertises the mini-storage facility located to the north of this property. The facility has no street frontage on Cheyenne Avenue. The continuation of this sign will not affect Cheyenne Avenue and if a commercial subdivision were recorded for the two parcels no Special Use Permit would be required for the sign. Staff recommended approval, subject to the conditions.

DALE WASEM, BDM Enterprises, 4121 East Charleston Boulevard, appeared to represent the application. He concurred with staff's conditions.

COMMISSIONER TRUESDELL was concerned about what advertising copy would be on the sign.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on February 6, 2002.

(9:35 - 9:39) 4 - 600

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

U-0067-96(1) - POLLO REALTY, LIMITED
LIABILITY COMPANY ON BEHALF OF
STORAGE ONE

APPROVED

3. The off-premise advertising sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising sign.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-28.

**U-0168-00(1) - KRAUSE FAMILY TRUST ON
BEHALF OF GRANTREE CORPORATION**

Required One Year Review on an approved Special Use Permit for a secondhand dealer (Globe Furniture Rentals) at 1600 South Decatur Boulevard (APN: 163-01-602-003), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 234

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Conformance to all applicable Conditions of approval for Special Use Permit Application U-0168-00.

McSwain -

**APPROVED, SUBJECT TO STAFF'S CONDITION WITH AN
ADDITIONAL CONDITION OF NO FURTHER REVIEWS.**

Unanimous

(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this is in conformance with all the requirements in Title 19A. No further reviews should be required. Staff recommended approval, subject to the condition.

PAUL O'BRIEN, Globe Furniture Rentals, appeared to represent the application. He concurred with staff's recommendations.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on February 6, 2002.

(9:39 - 9:41) 4 - 730

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-29.

**Z-0033-97(26) - GARDEN GLEN-LAS VEGAS
OPTION, LIMITED LIABILITY COMPANY ON
BEHALF OF KB HOME NEVADA,
INCORPORATED**

Request for a Review of Condition #1 of an Approved Site Development Plan Review [Z-0033-97(18)] TO ALLOW 18 FOOT FRONT YARD SETBACKS (TO THE GARAGE) WHERE 20 FOOT FRONT YARD SETBACKS ARE THE MINIMUM REQUIRED, generally located east of the Proposed Beltway south of the Craig Road alignment (APN: 137-01-701-001 through 004, 006, and 011, 137-01-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

NOTICES MAILED 53

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Condition 1 of Site Development Plan Review [Z-0017-90(20)] revised to read:

The setbacks for this subdivision shall be as follows:

Front 18 feet to garage and 14 feet to dwelling. Measured from the back of sidewalk, or back of curb where none is provided.

Rear 15 feet

Side 5 feet

Corner Side 10 feet

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley and McSwain abstaining as KB Home Nevada, Inc. is a client of their firms. (Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated the applicant's request is to allow 18 foot front yard setbacks to the garage and 14 foot front yard setbacks to the dwelling where 20 feet to the garage is required. Staff recommended approval, subject to the condition.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent KB Home Nevada, Inc. He concurred with staff's condition.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on February 6, 2002.

(9:41 - 9:42) 4 - 780

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-30.

MSH-0004-01 - CITY OF LAS VEGAS

Request to Amend the Master Plan of Streets and Highways to change the right-of-way requirements for certain streets to 80 feet of right-of-way where 60 feet of right-of-way and 10 feet of roadway easement on both sides of the required right-of-way was required, Ward 6 (Mack).

NOTICES MAILED Newspaper Only

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Public Works

1. Upon development, additional rights-of-way for dedicated right turn lanes, dual left turn lanes, and/or appropriate transition elements shall be required at the discretion of the Traffic Engineer.

2. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is not changed.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Goynes and Quinn excused)

RICHARD SHRODER, Public Works, stated that several years ago there were streets that may not be needed as 80-foot right-of-way. The Master Plan of Streets and Highways was amended to 60-foot right-of-way and 10 feet of roadway easements on each side. Recently better models have been developed which show that many streets will need to be at 80 feet even if there is no development north of Moccasin.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. He asked if the reason for this request is to allow space for cyclists.

MR. SHRODER replied that the reason is to add an additional through lane in each direction.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER BUCKLEY asked if there are other streets that need to be widened.

MR. SHRODER explained the City never had a zone model, but were using the RTC's model. Recently the City hired persons experienced in modeling as RTC's numbers seemed low. Initially staff started with the downtown and are moving toward the north and west.

To be heard by the City Council on February 6, 2002.

(9:42 - 9:47) 4 - 840

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-31.

MSP-0012-01 - JIMMY LEE BANKS AND IRVIN AND SALLY BROWN ON BEHALF OF JACK IN THE BOX

Request for a Master Sign Plan FOR A JACK IN THE BOX RESTAURANT at 1480 West Lake Mead Boulevard (APN: 139-21-610-220, 221 and 296), R-2 (Medium-Low Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 160

APPROVALS 0

PROTESTS 1
1 (Speaker)

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. The elevations of the freestanding ground sign shall be revised to depict a two-sided sign only.

2. Address numbers shall be provided as required by the Planning and Development Department.

Public Works

3. All signage shall be situated as to not interfere with Sight Visibility Restriction Zones; final sign locations shall be approved by the Traffic Engineer.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH AN ADDITIONAL CONDITION THAT APPLICANT SUBMIT A REVISED PLAN SHOWING A MORE ARCHITECTURALLY COMPATIBLE POLE COVER AND SIGN CABINET THAT TIES IN WITH THE ELEMENTS OF THE BUILDING.

**Unanimous
(Goynes and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated the elevations submitted by the applicant depict typical signage with a standard Jack-In-The-Box logo on each sign. The wall monument and incidental signage should be typical of this type of use and in accordance with the City's Zoning Code. However, the freestanding ground sign configuration has a cube, rather than a typical two-sided sign, which creates a greater visual impact that staff finds to be inappropriate. Staff recommended a condition requiring the freestanding ground sign be revised to depict a two-sided sign only and a condition that requires the address numbers to be provided as required. Staff recommended approval, subject to the conditions.

JENNIFER GALVIN, California Neon Products, 4530 Mission Gorge Place, San Diego, California, appeared to represent the applicant and agreed to the conditions. This still has a reader board.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He would prefer a monument sign.

CHAIRMAN GALATI declared the Public Hearing closed. He objected to a pole sign.

MS. GALVIN said they could have a decorative base cover with colors tying into the building.

JOHN KOSWAN, Planning and Development, said there is a tentative special meeting on February 21, 2002 with the Planning Commission for review of the new sign code. Signage is going in the direction of monument signs. Staff would like to have a suggestion for a pole cover that would fit into the design of the building.

To be heard by the City Council on February 6, 2002.

(9:47 - 9:53)

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-32.

MSP-0014-01 - WORLD ENTERTAINMENT CENTERS, LIMITED LIABILITY COMPANY

Request for a Master Sign Plan FOR NEONOPOLIS at 450 Fremont Street (APN: 139-34-513-003), C-2 (General Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 92

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The aesthetics of all proposed signs shall be reviewed by the Design Review Committee.

Public Works

2. Submit an Encroachment Agreement and/or Occupancy Permit for all private improvements (signs) located in the Ogden Avenue, Las Vegas Boulevard and 4th Street public right-of-way adjacent to this site prior to the issuance of any permits.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this Master Sign Plan meets the standards approved by the Planning Commission on December 6, 2001. This review will dictate the location and size of all the signs to be located on Neonopolis. A detailed design review of each individual sign will be reviewed by the Design Review Committee at a later date.

GENE SISCO, Development by Design, 116B North 3rd Street, appeared to represent World Entertainment Centers, LLC. The drawings, artwork, and original designs around the signs hopefully represents what has been requested in terms of revitalizing the designs.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL felt Neonopolis and staff have worked hard to show signs that articulate the building better. It is a significant step in revitalizing the visual sign impacts in the downtown area.

To be heard by the City Council on January 16, 2002.

(8:02 - 8:05) 2 - 2570/3 - 161

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-33.

VAC-0044-01 - PARDEE CONSTRUCTION COMPANY OF NEVADA

Petition to Vacate Government Patent Easements and public right-of-way generally located on the south side of Farm Road, between Tee Pee Lane and Chieftan Street, Ward 6 (Mack).

NOTICES MAILED 6

APPROVALS 0

PROTESTS 0

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. *(Public Works)*

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

3. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

4. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation and Order of Relinquishment of Interest. *(Public Works)*

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining as Pardee Construction Company is a client of his law firm. (Goynes and Quinn excused)

LAURA MARTIN, Planning and Development, stated this Vacation will not eliminate public access to abutting parcels and will be incorporated into a proposed single-family residential subdivision. It will not have a negative impact on adjacent properties or in the development of the site. Staff recommended approval, subject to the conditions.

APRIL McGRIFF, Bossard Development, 2920 North Green Valley Parkway, Suite #814, Henderson, Nevada appeared to represent Pardee Construction Company. She concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-14, B-15 and B-16 for related discussion.

To be heard by the City Council on February 6, 2002.

(9:00 - 9:08) 3 - 1600

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

**VAC-0044-01 - PARDEE CONSTRUCTION
COMPANY OF NEVADA**

APPROVED

5. The Order of Vacation and Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
(Public Works)

6. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.
(Planning and Development)

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ITEM

ACTION

C.

NON PUBLIC HEARING ITEMS:

C-1.

Z-0055-01(1) - SCHOOL BOARD OF TRUSTEES ON BEHALF OF CITY OF LAS VEGAS

Request for a Site Development Plan Review for a PROPOSED CITY PARK on 7.95 acres located adjacent to the northeast corner of Alexander Road and Thom Boulevard (APN's: 138-01-804-001 and 002), R-E (Residence Estates) Zone under Resolution of Intent to C-V (Civic) Zone, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Revise the landscape plan to provide 24-inch box trees spaced approximately 30 feet on center around the perimeter of the park.
4. The lighting of the basketball courts, and any other portion of the park area, and shall not extend past 10:00 PM. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

McSwain -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley and Galati abstaining inasmuch as their firms have business with the School District.

(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this park will include a skate park, basketball court, play structures, water play area, picnic and barbeque areas, and large open turf space. The Parks Element of the General Plan classifies the proposed park as a neighborhood park, which is defined as serving the recreational and social focus of the neighborhood.

The site plan depicts an orderly arrangement of recreational facilities, pedestrian pathways and access points. The submitted site plan did not provide a lighting plan. If the basketball courts or any other portion of the park is to be lighted, staff has a condition that the lighting not extend past 10:00 p.m.

The proposed landscaping will be appropriate for the park and provide a buffer to adjacent residences with the incorporation of a condition to space the 24-inch box trees approximately 30 feet on center around the perimeter of the park.

Staff recommended approval, subject to the conditions.

MICHAEL VLAOVICH, Public Works, said that until recently this park was not intended to have any night lighting with the exception of minimal security lighting. However, there have been some constituents that have requested there be a lighted amenity in the park, which would be a bocce court. That had been shown as a future amenity. The court toward Thom Boulevard will not be constructed as part of the original construction.

COMMISSIONER McSWAIN asked how the number of parking spaces is determined.

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ACTION

Z-0055-01(1) - SCHOOL BOARD OF TRUSTEES ON BEHALF OF CITY OF LAS VEGAS

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting residential areas.

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

10. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed pedestrian access and on-street parking prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

11. Site development to comply with all applicable conditions of approval for Z-55-01 and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

MR. VLAOVICH replied that in a neighborhood park it does not encourage a lot of persons to utilize it, so there will not be a lot of cars coming to the park creating a need for many parking spaces.

This is final action.

(9:53 - 9:58) 4 - 1200

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

C-2.

**Z-0098-98(1) - HILLSTONE ESTATES,
LIMITED LIABILITY COMPANY ON BEHALF
OF SOUTHWEST HOMES**

Request for a Review of Condition #3 of an approved Rezoning (Z-0098-98), to allow ten foot front yard setbacks, where 15 foot minimum front yard setbacks were originally required at 7427 and 7430 Page Ranch Court (APN: 125-22-115-005 and 006), R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Condition #3 of Rezoning (Z-0098-98)] revised to read:

The minimum setbacks shall be established as:

15 foot minimum front yard setback with a minimum 20 foot setback for driveways, with the exception of APN: 125-22-115-005 and 006,
10 foot minimum front yard setback with a minimum 18 foot setback for driveways;
20 foot minimum rear yard setback;
5 foot minimum side yard setback,
25 feet along the west property line; and
10-foot minimum corner side setback.

2. Site Development to comply with all applicable conditions of approval for the Rezoning (Z-0098-98) and all other subsequent site-related actions as required by the Department of Public Works and the Planning and Development Department.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated the justification letter states that along with a change in property ownership there was also a change in the housing product being built. In order to make the floor plans fit, the applicant proposes setback changes of 10 feet to the house and 15 feet to the garage for the subject two lots. This request will permit the placement of the new developers housing product. Staff recommended a condition requiring a minimum of 18 feet in driveway length between the back of the sidewalk and the face of the garage to allow vehicles to park completely outside the vehicular pedestrian travel corridors. Staff recommended approval, subject to the conditions.

JAN MICHELS, Pentacore Engineering, 6763 West Charleston Boulevard, appeared to represent the applicant. She concurred with staff's conditions.

To be heard by the City Council on February 6, 2002.

(9:58 - 10:03) 4 - 1380

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

Z-0098-98(1) - HILLSTONE ESTATES,
LIMITED LIABILITY COMPANY ON BEHALF
OF SOUTHWEST HOMES

APPROVED

Public Works

3. The distance from the face of the garage door to the back of sidewalk (or curb, if no sidewalk is proposed) shall be a minimum distance of 18 feet to prevent a car in the driveway from encroaching into the vehicular or pedestrian travel corridor.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ACTION

D.

DIRECTOR'S BUSINESS:

D-1.

ABEYANCE - TA-0033-01 - CITY OF LAS VEGAS

Discussion and possible action to Amend Title 19A.04.050 SECOND HAND DEALER to allow in certain circumstances the outdoor display of merchandise.

STAFF RECOMMENDATION NONE. If approved, staff recommends the following changes to Title 19A:

1. Remove the asterisk from in front of condition number one under Secondhand Dealer. Which would allow the City Council discretionary power to waive the condition.

Departmental Comments:

The following are Neighborhood Planning and Support's comments regarding the proposed text amendments:

TA-0033-01 - From our understanding, the proposed amendment would be applicable to all C-M zoning districts located throughout the City. Staff is concerned with the potential negative impact this would have on adjacent neighborhoods. There are many areas of the City where this amendment could be detrimental to the integrity and character of the community, depending on where the C-M zoning districts are located

Buckley -

TABLED (Staff to work with applicants to propose an ordinance that would permit the outside display of second hand merchandise, establish conditions dealing with area, manner in which the merchandise is displayed, timing, what kinds of merchandise not displayed, signage, and review periods.)
Motion carried with Evans voting NO.
(Goynes and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that staff has been approached by some of the business owners along Main Street to prepare this request to allow outdoor display of second hand merchandise during business hours on the sidewalk outside of the public right-of-way. If this request is approved, the best alternative would be to allow the use through a Special Use Permit. Staff has no recommendation.

CRAIG JONDREAU, 3109 LaMesa Drive, Henderson, Nevada, appeared. MR. JONDREAU said they were before the Planning Commission on December 4, 2001 and requested this item be held in abeyance. At that meeting they handed out packets on what they were proposing. They are representing many of the business owners between Washington and Oakey on Main Street. The current ordinance in force since 1999 has imposed hardships on those businesses. Adding parking meters has also affected these businesses.

LARRY WATSON, Creative Furniture, 1120 South Main Street, said the ordinance is a burden on his furniture business. They meet the fire codes and ADA requirements. The ADA says they need six feet and he is allowing eight feet. He has received support from the Chamber of Commerce, the Las Vegas Business Association, and the Arts District. There used to be more foot traffic in this part of Main Street. His business has been down over 50% since the adoption of the current ordinance. This could create boarded up buildings due to the lack of business.

COMMISSIONER McSWAIN said she is attracted to a business with a visual stimulant. The larger sidewalks create a pedestrian friendly environment. However, it is incumbent to upgrade the businesses.

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ABEYANCE - TA-0033-01 - CITY OF LAS VEGAS

Public Works:

Regarding TA-0033-01 ---- Our position is neutral on the proposed amendment so long as the merchandised displayed is out of the r/w. It would be desirable to have the r/w line-property line delineated on the sidewalk. In the past, the r/w line was identified by a 1/4 inch brass strip set into the concrete (this works well in new construction). Otherwise it may be difficult to determine if, in deed, the merchandise is out of the r/w thus making it difficult to enforce and for the retailer to comply.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

COMMISSIONER EVANS felt this area needs a different market approach. It is contrary to upgrading the downtown. Perhaps there could be a creative use of window displays, lighting, etc. He does not find the display of outside merchandise to be aesthetically pleasing.

MR. WATSON commented that there were people abusing the way their merchandise was displayed. There is a need for the existing businesses to feel welcome.

COMMISSIONER McSWAIN objected to displaying mattresses on the outside.

CHAIRMAN GALATI clarified that displaying merchandise on the outside of their store is not done by right, but by approval of the City Council.

MR. McCULLOCH added that any display of outside merchandise would have to come before the Planning Commission and City Council for approval. There may be conditions placed on those applications indicating only what merchandise could be displayed.

COMMISSIONER BUCKLEY did not have a problem with this way of displaying merchandise. He liked the idea of a Special Use Permit. There could be an overlay district down Main Street. Any Special Use Permit should also address the signage and limit what could be displayed. However, this Text Amendment needs fine tuning by staff.

COMMISSIONER TRUESDELL asked if businesses that sell new merchandise are treated the same as businesses that sell used merchandise along Main Street. There is a customer based need for this type of merchandise.

MR. McCULLOCH responded that in the code it is prohibitive for second hand businesses to have outdoor display. New businesses have to apply for a Special Use Permit in order to do outdoor display. However, the merchandise cannot inhibit parking or pedestrian access.

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ACTION

ABEYANCE - TA-0033-01 - CITY OF LAS VEGAS

CHAIRMAN GALATI was concerned about having specifics in the ordinance.

CHRIS KNIGHT, Planning and Development, added that this application is applicant initiated, not initiated by staff. Staff supports the current code. There needs to be a clear direction as to what would be in the new code.

COMMISSIONER BUCKLEY made a motion to table this item and COMMISSIONER EVANS said he would vote against the motion because he felt the current code is appropriate.

(10:03 - 10:27) 4 - 1440

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ITEM

ACTION

D-2.

TA-0037-01 - CITY OF LAS VEGAS

Discussion and possible action to Amend Title 19A.04.050(B) LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) to allow in certain circumstances the ability to obtain a waiver or exemption from the separation requirement.

STAFF RECOMMENDATION NONE. If approved, staff recommends the following change:

1. Amend Title 19A.04.050 LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) to Add a (d) under Condition #8 which states the following: In connection with a retail establishment with under 20,000 square feet of retail floor space, provided that the alcohol use and the protected use are separated by a minimum 100-foot right-of-way or a highway.

Buckley -

APPROVED

**Motion carried with Truesdell voting NO.
(Goynes and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated this amendment contemplates the need for certain small grocery stores, convenience stores and drug stores to obtain a waiver of the 400-foot separation to a protected use under certain circumstances. Staff did not have a recommendation. However, if it is contemplated for approval the waiver should only be obtainable for uses that are separated from protected uses by a minimum 100-foot right-of-way or a highway.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed. He asked if there have been problems with the sale of liquor in certain stores.

CHRIS KNIGHT, Planning and Development, responded that there have been some issues in the northwest area and in some other newly developing areas of the city that have brought this issue to the forefront. There have been some extenuating circumstances dealing with wide streets and distances. While a facility that is protected is within the spacing requirement, there are extenuating circumstances that make the impact that the use would have on the protected use almost nil. The code does not recognize those types of situations.

COMMISSIONER McSWAIN noted that there have been applications that would not have been feasible without the sale of liquor. MR. KNIGHT added that there have been applications where there was a use on one side of I-15 and the protected use on the other side, yet still meeting the spacing distance. The spacing would not impact the protected use because I-15 was in the way. Staff and some of the City Council members would like to address that type of issue.

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COMMISSIONER EVANS asked if this would create an opportunity for abuses and situations where there is a need for a waiver.

COMMISSIONER BUCKLEY thought it makes sense on a case-by-case basis.

MR. McCULLOCH clarified that the waiver would be discretionary through the Special Use Permit process. All this Text Amendment does is allow for applicants to apply for a waiver. At the present time they cannot apply if there is a protected use within the 400 feet.

COMMISSIONER TRUESDELL wondered why there is a distance requirement.

MR. McCULLOCH noted that about two years ago anybody could apply for a waiver. A year after that nobody was allowed to apply for a waiver. Then when the Big Box issue came up they were allowed to apply for a waiver. Now everyone can apply for a waiver.

CHRIS KNIGHT, Planning and Development, added that in order to be eligible to apply for a waiver there has to be an arterial street separating the protected use from the offending use. That will restrict the applications and help with the abuse situation. They will have to meet certain conditions just to be eligible to apply.

(10:27 - 10:36) 4 - 2640

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ITEM

ACTION

D-3.

DB-0018-01 - CITY OF LAS VEGAS

Election of Planning Commission Officers for 2002.

Buckley -
VICE CHAIRMAN - RICHARD TRUESDELL
Unanimous
(Goynes and Quinn excused)

Truesdell -
CHAIRMAN - CRAIG GALATI
Unanimous
(Goynes and Quinn excused)

(10:36 - 10:37) 4 - 3075

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ACTION

E.

CITIZENS PARTICIPATION:

THE PLANNING COMMISSION CANNOT ACT UPON ITEMS RAISED UNDER THIS PORTION OF THE AGENDA UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

ADJOURNMENT:

/lo

TODD FARLOW, 240 North 19th Street, appeared to wish everyone Happy Holidays.

There being no further business to come before the City Planning Commission, the meeting adjourned at 10:37 P.M.

LINDA OWENS, DEPUTY CITY CLERK